

SENATE JOURNAL  
OF THE  
Forty-Third Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
OLYMPIA, the State Capital

Convened January 8, 1973  
Adjourned Sine Die March 8, 1973

Compiled, Edited and Indexed by  
SIDNEY R. SNYDER, *Secretary of the Senate*



DOROTHY GREELEY, *Journal Clerk*

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JOHN A. CHERBERG, *President of the Senate*  
AL HENRY, *President Pro Tempore*  
JAMES E. KEEFE, *Vice President Pro Tempore*

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## SENATE CAUCUS OFFICERS

### DEMOCRATIC CAUCUS

ROBERT C. BAILEY, *Chairman*  
GEORGE FLEMING, *Vice Chairman/Secretary*  
AUGUST P. MARDESICH, *Floor Leader*  
GORDON L. WALGREN, *Majority Whip*

### REPUBLICAN CAUCUS

R. FRANK ATWOOD, *Chairman*  
JIM MATSON, *Vice Chairman/Secretary*  
HARRY B. LEWIS, *Floor Leader*  
CHARLES NEWSCHWANDER, *Assistant Floor Leader*  
GEORGE SCOTT, *Minority Whip*

BILL GLEASON, *Assistant Secretary*  
CHARLES L. R. JOHNSON, *Sergeant at Arms*  
FLORENCE T. KENDERESI, *Secretary to the Secretary*  
VERNE SAWYER, *Reader*  
DOROTHY GREELEY, *Minute Clerk*

# JOURNAL OF THE SENATE

## STATE OF WASHINGTON

### FORTY-THIRD LEGISLATURE

#### FIRST DAY

Senate Chamber, Olympia, Wash., Monday, January 8, 1973.

The Forty-third Senate of the state of Washington assembled in the State Capitol, pursuant to law, at noon. Lieutenant Governor John A. Cherberg, President of the Senate, called the Senate to order.

The Color Guard consisting of Pages Kevin Triplett and Jeny Donohue, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"ALMIGHTY GOD, WHO ART THE FOUNTAIN OF WISDOM AND THE SOURCE OF ALL STRENGTH, WE TURN TO YOU AT THE BEGINNING OF THIS LEGISLATIVE SESSION AND ASK YOUR BLESSING UPON THE EFFORTS OF THOSE WHO WORK IN THE SENATE OF THE STATE OF WASHINGTON. MAY THE MEMBERS OF THIS BODY REMEMBER THEY ARE HERE TO SERVE THE WELFARE OF ALL THE PEOPLE OF THIS STATE, AND BY THEIR WORK PASS SUCH LEGISLATION AS WILL TEND TOWARD THE GOOD OF ALL OUR CITIZENS.

"GUIDE AND DIRECT THEM, OUR FATHER, THROUGH THE MANY MEETINGS THEY WILL ATTEND; PROTECT THEM BY YOUR EVER-PRESENT LOVE FROM THE ERRORS CAUSED BY FATIGUE AND THE MISTAKES BROUGHT ABOUT BY HASTE. CONFIRM IN THEM A DESIRE TO BE A SERVANT IN OUR FREE SYSTEM OF GOVERNMENT AND DEFEND THEM FROM THE TEMPTATIONS TO CLOSE THE DOOR TO THE PUBLIC AND HEAR ONLY THE VOICES OF SELF-INTEREST AND POWER.

"BY YOUR GRACE WE ARE SUSTAINED, O LORD. YOUR SPIRIT IN US HAS DRIVEN US TO BE FREE. HELP US NEVER TO BE AFRAID OR TOO PROUD TO STOP AND ASK WHAT YOU IN YOUR WISDOM WOULD HAVE US DO, AND GIVE US THE COURAGE TO FOLLOW WHERE YOU LEAD THE WAY.

"ALL OF THIS WE PRAY IN THE NAME OF YOUR SON WHO TAUGHT US THAT YOU HEAR US WHEN WE CALL UPON YOU IN FAITH AND WHEN WE PUT OUR TRUST IN YOU. BLESS THE MEMBERS OF THIS HOUSE, THE GOVERNOR OF THIS STATE AND THE MEMBERS OF THE HOUSE OF REPRESENTATIVES THAT THROUGH THEIR GOOD WORKS IN THIS LEGISLATURE THEY MAY LIGHT THE WAY WHERE THERE IS DARKNESS, BIND UP THE WOUNDS WHERE THERE IS HURT AND STRENGTHEN THE WEAK, AND IN YOUR GOOD TIME, BRING ALL OF US A BETTER DAY IN THIS FAIR STATE OF WASHINGTON. AMEN."

## JOURNAL OF THE SENATE

## ROLL CALL

The Acting Secretary called the following roll of holdover members of the Senate and all were present: R. Frank Atwood, Damon R. Canfield, Frank Connor, Fred H. Dore, Martin James Durkan, George Fleming, Peter D. Francis, Booth Gardner, R. R. Bob Greive, Sam C. Guess, Gordon Herr, August P. Mardesich, Jack Metcalf, John Murray, Ted G. Peterson, Robert C. Ridder, George W. Scott, John H. Stender, Robert W. Twigg, Nat Washington, Jonathan Whetzel, Perry B. Woodall.

## APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Woodall and Francis to escort the Honorable Robert F. Brachtenbach, Justice of the Supreme Court of the state of Washington, to the Senate Chamber and a seat upon the rostrum.

## MESSAGE FROM THE SECRETARY OF STATE

Office of the Secretary, January 8, 1973.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

SIR:

I, A. Ludlow Kramer, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of persons elected to the office of State Senator at the General Election held in the several voting precincts in the State of Washington on the seventh day of November, 1972, as shown by the official returns of said election now on file in the office of the Secretary of State; together with a list of "holdover" Senators from the forty-second session of the Legislature and that all of the following are entitled to seats in the Senate of the Legislature of the State of Washington, at its forty-third biennial session commencing on the eighth day of January, A.D., 1973, as appears from said election returns:

## LIST OF SENATORS ELECTED NOVEMBER 7, 1972

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1	Ray Van Hollebeke	King, part and Snohomish, part
No. 2	R. Ted Bottiger	Pierce, part and Thurston, part
No. 3	James E. Keefe	Spokane, part
No. 4	William S. "Bill" Day	Spokane, part and Whitman, part
No. 5	R. H. "Bob" Lewis	Spokane, part
No. 9	Hubert F. Donohue	Adams, Asotin, Garfield, and parts of Columbia, Grant and Whitman
No. 10	F. Pat Wanamaker	Island and Snohomish, part
No. 11	Gary Grant	King, part
No. 12	George L. Sellar	Chelan, Douglas and parts of Grant and Okanogan
No. 14	Jim Matson	Yakima, part
No. 16	Dan Jolly	Franklin, Walla Walla and Columbia, part
No. 17	Al Henry	Klickitat, Skamania and Clark, part
No. 18	Don L. Talley	Cowlitz, part and Clark, part
No. 19	Robert C. Bailey	Grays Harbor and Pacific, part
No. 20	Gary M. Odegaard	Lewis, Wahkiakum and parts of Cowlitz, Pacific and Thurston
No. 22	Harry B. Lewis	Thurston, part
No. 23	Gordon L. Walgren	Kitsap, part
No. 24	Gordon Sandison	Clallam, Jefferson, Mason and Thurston, part
No. 25	Reuben A. Knoblauch	King, part and Pierce, part
No. 27	Joe Stortini	Pierce, part
No. 28	Charles E. Newschwander	Pierce, part
No. 29	A. L. "Slim" Rasmussen	Pierce, part
No. 39	Frank Woody	King, part and Snohomish, part
No. 40	Lowell Peterson	San Juan, Skagit and Whatcom, part
No. 41	George W. Clarke	King, part
No. 49	Dan Marsh	Clark, part

## LIST OF HOLDOVER SENATORS

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 6	Sam C. Guess	Spokane, part
No. 7	Robert W. Twigg	Ferry, Lincoln, Pend Oreille, Stevens and parts of Okanogan and Spokane
No. 8	Damon R. Canfield	Benton and Yakima, part
No. 13	Nat Washington	Kittitas and parts of Grant and Yakima
No. 15	Perry B. Woodall	Yakima, part
No. 21	Jack Metcalf	Snohomish, part
No. 26	Booth Gardner	Kitsap, part and Pierce, part
No. 30	John Stender	King, part
No. 31	Gordon Herr	King, part
No. 32	Pete Francis	King, part
No. 33	Frank Connor	King, part
No. 34	R. R. Greive	King, part
No. 35	Robert C. Ridder	King, part
No. 36	John Murray	King, part
No. 37	George Fleming	King, part
No. 38	August Mardesich	Snohomish, part
No. 42	R. Frank Atwood	Whatcom, part
No. 43	Jonathan Whetzel	King, part
No. 44	Ted Peterson	King, part
No. 45	Fred H. Dore	King, part
No. 46	George W. Scott	King, part
No. 47	Martin Durkan	King, part

I further certify that as of December 27, 1972, James A. Andersen resigned as State Senator, 48th Legislative District.

*In Testimony Whereof*, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this eighth day of January, A.D., 1973.

A. LUDLOW KRAMER, Secretary of State.

(Seal of the state of Washington)

## ROLL CALL

The Acting Secretary called the roll of the following newly re-elected Senators and all were present: Robert C. Bailey, George W. Clarke, William S. Day, Hubert F. Donohue, Al Henry, Dan Jolly, James E. Keefe, Reuben Knoblauch, Harry B. Lewis, Jim Matson, Charles E. Newschwander, Gary M. Odegaard, Lowell Peterson, A. L. "Slim" Rasmussen, Gordon Sandison, George L. Sellar, Joe Stortini, Don Talley, Gordon Walgren.

The President requested the Acting Sergeant at Arms to conduct all of the newly re-elected Senators to the bar of the Senate to receive their oath of office.

Justice Brachtenbach of the Washington State Supreme Court thereupon administered the oath of office to each of the newly re-elected Senators.

The President presented to each of the newly re-elected Senators his certificate of election.

## PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen in the audience, during this particular station break, Reverend Perry has requested that I make an unpaid announcement to the effect that the rising and sitting that you are going through is remarkably good preparation for membership in the Episcopal Church. Do you wish equal time, Senator Keefe?"

## ROLL CALL

The Acting Secretary of the Senate called the roll of the following newly elected members of the Senate and all were present: R. Ted Bottiger, Gary Grant, R. H. (Bob) Lewis, Dan Marsh, Raymon Van Hollebeke, F. Pat Wanamaker, Frank Woody.

The Acting Sergeant at Arms escorted each of the newly elected members of the Senate to the bar of the Senate to receive his oath of office.

Justice Brachtenbach of the Washington State Supreme Court thereupon administered the oath of office to each of the newly elected members.

The President presented to each of the newly elected Senators his certificate of election.

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, the President is sure that you join with him in expressing our deepest thanks and appreciation to Judge Brachtenbach for performing so nobly and valiantly here today. The President should also like to say how happy he is to be back with you holdover members of the Senate and to extend greetings and salutations to the newly re-elected members and the newly elected members. This morning is usually and traditionally a happy and joyous occasion when we can forget the rigors of the campaign and look forward to the opportunities to serve the people of our district and state. It is nice to see so many wives and, I am sure, some parents and children here today to find your loved one sworn into one of the highest offices of the country. It is a signal honor and in each instance is certainly deserved. We are happy that you are with us today. We would like to greet you and welcome you and invite you to come back often. It is a pleasure, gentlemen, to see you in such familiar surroundings. Thank you so much."

#### ELECTION OF OFFICERS

The President declared nominations to be open for President Pro Tempore of the Senate.

Senator Durkan: "Mr. President, I would like to at this time place in nomination the name of Senator Al Henry.

"Mr. President and members of the Senate, Senator Henry is a distinguished colleague of ours who has served his state and his district well. He has been President Pro Tem of this body before. He has done an outstanding job as a presiding officer, being fair to both sides of the aisle, and throughout all of the time that I have known him he has not been afraid to take a stand on unpopular issues when he thinks that he is right. And at the same time Senator Henry has never been afraid to cast a hard vote when it is necessary for the welfare and being of this state. I hope that you will cast your vote for Senator Al Henry."

Senator Walgren: "Mr. President, I rise to second the nomination of Senator Al Henry as President Pro Tem of the Senate. I have had the privilege of working with Senator Henry in connection with the Interim Committee on Transportation, as many of us have had here in this body. We have found him to be most fair to all of us in connection with that obligation. We have all had the opportunity, of course, of seeing his splendid work when he has assumed the responsibilities of yourself, and has guided us here in this Senate. I think that the remarks of Senator Durkan are well taken and it is a pleasure for me to second Senator Henry's nomination."

Senator Guess: "Mr. President, I rise also to second the nomination of Senator Henry and I would like to say that I have worked very closely with Senator Henry in the Interim Committee on Transportation. I have found that he has always been extremely fair. The term 'highways are not a partisan matter' has flourished under his administration of this committee. I think that we have worked very diligently for the betterment of the state and for the expenditure of the tax dollars. Senator Henry has been in the legislative halls since 1941 when he first came to the House. He served four terms there and then came to the Senate in 1957 and has a very distinguished career. This will be his fifth term as pro tem and I am sure that we all have watched with a great deal of admiration the way he handles the gavel and sometimes he has earned the appellation of 'the fastest gavel in the west', but I believe it has always been with a great deal of fairness and it gives me a great deal of pleasure to second the nomination of Senator Henry."

#### MOTIONS

There being no further nominations, on motion of Senator Mardesich the nominations were closed.

On motion of Senator Mardesich, a unanimous ballot was cast for Senator Al Henry as President Pro Tempore of the Senate.

The President appointed Senators Durkan and Guess to act as a committee of honor to escort Senator Henry to the rostrum.

Justice Brachtenbach of the Washington State Supreme Court administered the oath of office to Senator Henry.

#### PRESIDENT'S PRIVILEGE

The President: "Mr. President, honored members of the Senate, ladies and gentlemen, the people of the audience and all of you, I am sure, agree that what you have just accorded Senator Henry is an honor that is richly deserved. And Al, certainly this action on the part of the Senate is positive proof, concrete evidence of the high regard and respect and affection each member of the Senate holds for you. I am very proud to have, over the years, the opportunity to serve with you, Al. You are one of the greatest and I would like, before you get up and hog all the limelight, to introduce the beautiful Mrs. Henry. Won't you please step forth. And Al, welcome back once again. It is a joy to be with you. Congratulations."

#### REMARKS BY SENATOR HENRY

Senator Henry: "Thank you, Governor and thank you, members of the Senate. I am glad they made it unanimous and we did not have a roll call because in years past when this honor was accorded me, I always wanted to vote for Perry Woodall. And when they did not put up any opposition this time I did not know, just having a conflict of interest at stake under the rules, I did not know how the heck I was going to vote. So I am glad that the floor leader was on his toes.

"This is a great honor to me and I can assure you, I think you all know that from the past sessions that I have served, that when you get to your feet I cannot see whether you are wearing an elephant or a donkey. You are a Senator, a brother Senator, and the floor is yours and I will do my best to do a very fair and impartial job. Thank you so much."

The President declared the nominations were now in order for the office of Vice President Pro Tempore of the Senate.

Senator Greive: "I rise at this time to nominate Senator Keefe. Mr. President, I think that I am a fitting person to place Senator Keefe's name in nomination since the office was created during my time in the Senate, and Senator Keefe's. Originally, when I first came to the Senate, the office of President Pro Tempore did not exist. And it was Senator Rosellini and I that dreamed up the idea and put it into effect and along through the years we have had many different Senators hold the office. Senator Keefe first came to this body in 1949. He is known affectionately in his home district as the people's Senator. He is a man of loyalty, principle and courage. He has a strong voice and a real expert in the previous question. And finally I would like to again place in nomination the name of the illustrious, powerful doctor, Senator James Keefe."

Senator Woodall: "Mr. President, I too would like to second the nomination of Doctor of Juris James Keefe. We lawyers who are declining in total strength welcome him to our ranks. I received a letter from the President of Gonzaga last year, possibly because he knew that Senator Keefe and I have shared office space for the past four sessions, inviting me to the graduation exercises. I came and I witnessed his installation as a Doctor of Jurisprudence. It was a very touching ceremony and one thing the learned Father said that I recall is that the phrase, 'public service is public trust' had always been justified by James Keefe. Proof of what he is thought of in his own community, of course, is proven by the fact that he has never been defeated there and last time he faced a very vigorous challenger and the people again returned him. It has been a pleasure to office with him, to work with him. I have found him pleasant and always congenial. It is a pleasure this morning, Doctor, to second your nomination."

## MOTIONS

There being no further nominations, on motion of Senator Mardesich the nominations were closed.

On motion of Senator Mardesich, a unanimous ballot was cast for Senator James E. Keefe as Vice President Pro Tempore of the Senate.

The President appointed Senators Washington and Twigg to act as a committee of honor to escort Senator Keefe to the rostrum.

Justice Brachtenbach of the Washington State Supreme Court administered the oath of office to Senator Keefe.

## PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, the next item on the agenda indicates appropriate remarks. Senator Keefe, you are not getting away so easily. It is impossible to find appropriate remarks to describe you, Senator. The President will merely say that he agrees with the remarks that were made by the members in your behalf. And at this time the members of the Senate and the ladies and gentlemen present would be honored to hear your pearls of wisdom emanate from your lips in your own inimitably clever style."

Senator Keefe: "Thank you, Governor. I wish to thank the people who stood up for me and made such fine remarks and especially my roommate, Senator Woodall, and Senator Greive. If I am called upon I mean to serve you in my fair manner. For the last eight years, Senator Henry has been red-shirting me. I only sit in that chair. So thank you very much and I hope that we have a nice session and do the job for the people of the state of Washington. Thank you."

## STATE OF WASHINGTON—DEPARTMENT OF STATE

I, **A. LUDLOW KRAMER**, Secretary of State of the State of Washington and custodian of its seal, hereby certify that according to the records on file in my office the attached are true and correct copies of the papers relating to the appointment of JOHN D. JONES as of January 8, 1973 to the position of State Senator, 48th Legislative District to fill the vacancy created by the resignation of Senator James A. Andersen.

In witness whereof I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol, January 8, 1973.

A. LUDLOW KRAMER, Secretary of State.

## KING COUNTY COUNCIL

Tracy J. Owen, Chairman  
Room 403, King County Court House  
Seattle, Washington 98104

January 8, 1973

Mr. A. Ludlow Kramer  
Secretary of State  
State of Washington  
Olympia, Washington

Dear Mr. Kramer:

This is to confirm the appointment of Mr. John D. Jones to the Washington State Senate effective January 8, 1973. Representative Jones was at the top of the list submitted by the State Central Committee and the County Central Committee.

Yours very truly,  
Tracy J. Owen, Chairman  
King County Council



BOARD OF COUNTY COMMISSIONERS  
Snohomish County, Washington

RESOLUTION  
APPOINTMENT OF STATE SENATOR

WHEREAS, it appears that there is a vacancy in the office of STATE SENATOR for the 48th Legislative District, due to the resignation of Senator JAMES A. ANDERSEN, and,

WHEREAS, it appears that the 48th Legislative District was at the time of Senator Andersen's election to said office, comprised of a portion of King County and Snohomish County, therefore, making it necessary for the joint action of the King and Snohomish County Boards of County Commissioners to fill this vacancy, and,

WHEREAS, pursuant to the 32nd Amendment to the Washington State Constitution, the State Republican Central Committee has submitted the names of three nominees for this appointment of which State Representative JOHN D. JONES of Kirkland, Washington, was one.

NOW, THEREFORE, ON MOTION, in conjunction with the KING COUNTY COUNCIL, JOHN D. JONES of 18 Bridlewood Circle, Kirkland, Washington is hereby appointed STATE SENATOR for the 48th Legislative District, to fill the vacancy created by the resignation of Senator James A. Andersen. Said appointment is to become effective Monday, January 8, 1973.

Done in regular Session this 8th day of January, 1973.

E. SAM KRAETZ, Chairman.

CHARLES HILL, Commissioner.

N. RICHARD FORSGREN, Commissioner.

Constituting the board of county commissioners of Snohomish County, Washington.

ATTEST: STANLEY DUBUQUE, County Auditor  
and Ex-Officio Clerk of the Board

By Cathy Seay, Deputy Auditor.

The President asked the Sergeant at Arms to escort the Honorable Senator John D. Jones to the bar of the Senate. Justice Brachtenbach of the Washington State Supreme Court administered the oath of office to the newly appointed Senator John D. Jones.

PRESIDENT'S PRIVILEGE

The President: "Congratulations, Senator Jones. In lieu of certificate, the Secretary has suggested that I present you this statement from the Secretary of State. However, I must advise you that if you do not return it at a later date, your appointment won't take. Thank you and congratulations."

The President declared the nominations were now in order for the office of Secretary of the Senate.

Senator Bailey: "Mr. President and members of the Senate, I submit the name of Sid Snyder as Secretary of the State Senate. I do not think I have to belabor the good job that Sid has been doing for all of us. I have known Sid for a long time, he is a long-time friend of mine. He is a long-time friend of each and every one of you. And he first started in the House, I think it was 1947 or '49 as a bill clerk. He went up the ladder rather rapidly and was soon helping Si Holcomb in the House as Assistant Chief Clerk, later as Chief Clerk of the House, and then was again Assistant Chief Clerk when we brought him to the Senate on the death of Ward Bowden. It is a real privilege and an honor that I submit his name to you for consideration as Secretary of the Senate."

Senator Odegaard: "Mr. President and members of the Senate, I rise to second the nomination of Sid Snyder, who happens to be one of my new constituents in my new legislative district. He has done a very fine job as Secretary of the Senate here, runs an efficient organization, is very accommodating and helpful and I am sure that any time that you are in the Long Beach area he would be happy if you would stop by at Sid's Market."

Senator Lewis (Harry): "I too would like to second the nomination for Sid Snyder. I was quite concerned this summer whether, knowing how busy Sid is in his business, as to whether he would be able to come back with us and I was even more concerned when I saw the Mark IV in the garage as to whether he would be able to come back, but I recognize he probably needed to afford it. I would like to say that I think probably the greatest, seriously, the greatest tribute that the Republican caucus can make to Sid is his no opposition, no opposition candidate for him. He has long advocated impartial treatment for both sides of the aisle and I think his native intelligence in hiring competent and good staff to do the work which provides the base for all of us to develop good legislation is another good reason for supporting Sid Snyder."

#### PERSONAL PRIVILEGE

Senator Woodall: "I want to point out that Senator Jones, who you just witnessed his taking the oath, is the speediest man in all legislative history in the state of Washington. He took the oath of the House at 12:00, resigned at 12:30, and at 1:10 became a member of the Senate. He is the only man in the history of the state that within a seventy-minute period was a member of both bodies."

#### MOTIONS

There being no further nominations, on motion of Senator Mardesich the nominations were closed.

On motion of Senator Mardesich, a unanimous ballot was cast for Sidney R. Snyder as Secretary of the Senate.

The President appointed Senators Bailey and Lewis (Harry) to escort Sidney R. Snyder to the rostrum.

Justice Brachtenbach of the Washington State Supreme Court administered the oath of office to Sidney R. Snyder.

#### PRESIDENT'S PRIVILEGE

The President: "Mr. Secretary, members of the Senate, ladies and gentlemen, Sid, everyone who knows you realizes the truth and the friendliness behind the remarks made by Senator Odegaard, Senator Lewis and Senator Bailey. And the flowers they tossed your way, I am sure, will be just as big if not bigger at the end of this session. You do such a grand job you cannot help but be rewarded in that way. Congratulations, it is wonderful to have you back with us, and now we would love to hear from you."

#### REMARKS BY SIDNEY R. SNYDER

Sidney R. Snyder: "Thank you, Governor. After all these kind remarks there is not much left for me to say. Like you said, wait until the end of the session. But I want to thank all of the members for the vote of confidence and that whatever success we have during the session in making your job easier, I have to give full credit to the staff. We have an excellent staff lined up and we hope that it will make your task just a little bit easier and that we are going to be available virtually around the clock to try to help you get your job done in a very speedy fashion this session. Thank you all very kindly."

#### PRESIDENT'S PRIVILEGE

The President: "Just like our Secretary to put in a strong plug for the front four here and perhaps at this time we should ask each to stand. Pat Knowlton, the Liberace of the keyboard; Dorothy Greeley; old leather lungs Sawyer himself; and William Gleason."

The President declared nominations for the office of Sergeant at Arms of the Senate now in order.

Senator Henry: "Mr. President and members of the Senate, if I had not been as successful in my campaign for re-election myself, I could have just made a recording and

sent it down to make the same remarks that I made in behalf of Charlie Johnson for Sergeant at Arms I have made since 1955 when I first nominated him in the House of Representatives. Charlie has been a good Sergeant at Arms. He works hard. He takes a lot of guff that neither you nor I would take and I think that his record is outstanding and he should be re-elected."

Senator Francis: "Mr. President and members of the Senate, I rise to second the nomination of a distinguished gentleman, a classy Sergeant at Arms and a treasured personal friend, Charlie Johnson."

Senator Newschwander: "Thank you, Mr. President, Senators. I arise to propose the name of Mr. Charles Gerold for Sergeant at Arms. I realize this is a lesson in futility when I look around and see the count on this floor. I am aware that both sides, the minority and the majority, have known Charlie for twenty-some years. He has served as our caucus clerk, a man with a quiet voice and a firm grip. Charlie has the experience, he knows protocol and he knows rules. Charlie has made it much easier for the minority party since I have been here in our jobs of making life a little easier. He has control of our caucus, caucus room and the alcoves on the side here. So it is indeed a pleasure for me to stand here today and propose the name of Charlie Gerold for Sergeant at Arms of this Senate."

Senator Metcalf: "Mr. President and members of the Senate, it is an honor and it is with real pleasure that I second the nomination of Charlie Gerold as Senate Sergeant at Arms. Charlie Gerold has adequate experience. As mentioned, he has served fourteen years in his present position. During this service he has been absolutely responsible, absolutely sincere and totally dedicated in this service. I can think of no one who would better serve the Senate as Sergeant at Arms."

#### MOTION

There being no further nominations, on motion of Senator Mardesich the nominations were closed.

#### ROLL CALL

The Secretary called the roll on the election of Sergeant at Arms of the Senate and Charles Johnson was elected by the following vote: Charles Johnson, 30; Charles Gerold, 19.

Voting for Charles Johnson were: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—30.

Voting for Charles Gerold were: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—19.

The President declared that Charles Johnson, having received the constitutional majority vote of the Senate, was elected Sergeant at Arms of the Senate.

The President appointed Senators Henry and Francis to act as a committee of honor to escort Charles Johnson to the rostrum.

Justice Brachtenbach of the Washington State Supreme Court administered the oath of office to Charles Johnson.

#### PRESIDENT'S PRIVILEGE

The President: "It was a tough fight, Charlie, but you won. Heartiest congratulations. I am sure the members of the Senate would like to hear from at this time."

#### REMARKS BY CHARLES JOHNSON

Charles Johnson: "Thank you, Governor. Thank you, Senators. I appreciate your vote and I will serve you again as I have in the past and I believe that this time that I am elected, I have been elected longer than any other sergeant at arms of the Senate consecutively since the Washington State Senate started and it is quite an honor for me. Senator Henry, I

appreciate your kind words, and I have some cigars for you gentlemen. I will give you a cigar and I hope I am the first one that passes out cigars to you. I appreciate it from the bottom of my heart. Thank you very much."

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, the President at this time should like to present another indispensable member of the Secretary's staff, Mrs. Elmo Fadling. Elmo, would you please stand? And the President's Assistant, the Honorable Orlando F. Scarpelli. Would you please stand?"

#### SENATE RESOLUTION 1973-1

By Senators Bailey, Mardesich, Atwood and Lewis (Harry):

BE IT RESOLVED, That a committee of five be appointed to notify the House that the Senate is now organized and ready to transact business.

#### MOTION

On motion of Senator Mardesich, the following resolution was adopted:

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Marsh, Grant, Bottiger, Jones and Wanamaker as a committee of five to notify the House that the Senate is organized and ready to transact business.

#### MOTIONS

On motion of Senator Mardesich, the appointees were confirmed.

The committee retired.

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-2

By Senators Bailey, Mardesich, Atwood and Lewis (Harry):

RESOLVED, That the courtesies of the Senate are hereby extended to all former presidents, former members and secretaries of the Senate.

#### MOTION

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-3

By Senators Bailey, Mardesich, Atwood and Lewis (Harry):

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed to draw their warrants for payment of the members' subsistence allowance and employees' salaries every seventh day of the session upon subsistence payrolls which shall be certified to by the President and Secretary of the Senate, and they are hereby authorized and directed to deliver the warrants to the Secretary of the Senate, taking their receipt therefor.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized and directed to provide each member the necessary supplies, equipment and materials required to operate the Senate.

#### MOTION

At 1:35 p.m., on motion of Senator Mardesich, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

MESSAGE FROM THE HOUSE

January 8, 1973.

Mr. President: The House has adopted:  
HOUSE CONCURRENT RESOLUTION NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 2 and the same are herewith transmitted.  
DEAN R. FOSTER, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 1, by Representative Charette:  
Members named to notify Governor legislature is in session.

On motion of Senator Mardesich, House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 2, by Representative Charette:  
Specifying three Joint Sessions of the House and Senate.

On motion of Senator Mardesich, House Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

COMMITTEE FROM THE HOUSE

A committee from the House consisting of Representatives King, Lysen and Gilleland appeared before the bar of the Senate to notify the Senate that the House was organized and ready to transact business.

The report was received and the committee retired.

REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Marsh, Grant, Bottiger, Jones and Wanamaker appeared before the bar of the Senate and reported that the House had been notified that the Senate was organized and ready to transact business.

The report was received and the committee was discharged.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Bailey, Mardesich and Atwood to serve as a committee of three from the Senate, in accordance with House Concurrent Resolution No. 1, to join with a like committee from the House to notify the Governor that the legislature is organized and ready to transact business.

On motion of Senator Mardesich, the appointees were confirmed.

MOTION

At 2:45 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, January 9, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## SECOND DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 9, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Bottiger. On motion of Senator Bailey, Senator Bottiger was excused.

The Color Guard, consisting of Pages Craig Dennis and Paula Raymond, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"ALMIGHTY GOD, EACH DAY GIVES US A NEW OPPORTUNITY TO DO GOOD OR TO DO ILL. OUR PROBLEM IS THAT WE SOMETIMES CAN DO ILL EASIER THAN WE CAN DO GOOD. HELP US BY YOUR GRACE TO CHOOSE THE BETTER WAY AND SEEK TO DO GOOD. EACH DAY, OUR FATHER, BRINGS US A NEW OUTPOURING OF YOUR ENERGY WITHIN US. HELP US TO BE AWARE OF YOUR LOVE IN OUR HEARTS AND TO USE THE ENERGY YOU GIVE US AS YOUR SERVANTS. OUR FATHER, IN OUR BETTER MOMENTS, WE ARE ABLE TO ADMIT THAT THIS IS YOUR WORLD AND NOT OURS. HELP US TO TREAT YOUR GIFTS WITH RESPECT, TO USE THEM CAREFULLY. MAY WE HAPPILY LEARN THE LESSONS OF SONSHIP AND NOT STRIVE OVER-MUCH TO BE GODS.

"MANY TIMES, O LORD, WE WALK IN DARKNESS, NOT KNOWING THE WAY TO LIGHT. COME, O GOD, AND BE FOR US THE LIGHT THAT BRINGS HOPE TO EVERY HUMAN HEART.

"GIVE US THIS DAY NOT ONLY OUR DAILY BREAD BUT ALSO A DEEPER SENSE OF OURSELVES AS THOSE FOR WHOM YOU CARE. PERHAPS BY REMEMBERING YOU CARE FOR US WE CAN CARE MORE ABOUT OURSELVES AND DARE TO BE NOBLE AS YOU ARE NOBLE; STRONG AS YOU ARE STRONG; MERCIFUL AS YOU ARE MERCIFUL; AND THEN THIS DAY WE CAN DO MORE GOOD THAN ILL. WE NEED YOUR HELP, OUR FATHER. BE NOT FAR FROM US TO STRENGTHEN AND ENCOURAGE US, THROUGH JESUS CHRIST, WHO WAS STRONG AND COURAGEOUS IN HIS TIME. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Bailey, Mardesich and Atwood appeared before the bar of the Senate and reported that under provisions of House Concurrent Resolution No. 1, the Governor had been notified that the legislature was organized and ready to transact business.

The report was received and the committee was discharged.

## MESSAGE FROM THE HOUSE

January 8, 1973.

Mr. President: The Speaker has signed:  
HOUSE CONCURRENT RESOLUTION NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 2, and the same are herewith  
transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTIONS

At 9:35 a.m., on motion of Senator Bailey, the Senate was declared to be at ease until 10:55 a.m.

The Senate reconvened at 10:55 a.m. and retired to the House Chamber to meet in Joint Session for the purpose of canvassing the vote cast for and against referendums and initiatives which appeared on the ballot of the last general election, also to canvass the vote cast for the constitutional elective officers of the state of Washington, and also for the purpose of signing the election certificates for the elected state officers in the presence of the members of the Senate and the House in Joint Session.

## 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, John A. Cherberg, the President Pro Tempore of the Senate, Al Henry, and the Vice President Pro Tempore of the Senate, James E. Keefe, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

The Speaker of the House presided.

The Speaker called the Joint Session to order.

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

The Clerk called the roll of the House, and all members were present except Representatives Eikenberry and Paris who were excused.

The Speaker announced that the Joint Session was called for the purpose of canvassing the vote cast for and against referendums and initiatives which appeared on the ballot at the last general election, and also to canvass the vote for the constitutional elective officers of the State of Washington.

## MESSAGE FROM THE SECRETARY OF STATE

Department of State, January 8, 1973.

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
OLYMPIA, WASHINGTON  
SIR:

I have the honor of herewith submitting a recapitulation of the votes cast at the General Election held throughout the State of Washington on the seventh day of November, 1972, as canvassed by me from the returns made to this department by the respective County Auditors of the State.

Respectfully,  
A. LUDLOW KRAMER  
Secretary of State.

## INITIATIVES AND REFERENDUMS

## INITIATIVE MEASURE NO. 258, captioned: "CERTAIN CITIES—GREYHOUND RACING FRANCHISES."

FOR Initiative Measure No. 258	526,371
AGAINST Initiative Measure No. 258	895,385

## INITIATIVE MEASURE NO. 261, captioned: "LIQUOR SALES BY LICENSED RETAILERS."

FOR Initiative Measure No. 261	634,973
AGAINST Initiative Measure No. 261	779,568

## INITIATIVE MEASURE NO. 276, captioned: "DISCLOSURE—CAMPAIGN FINANCES—LOBBYING—RECORDS."

FOR Initiative Measure No. 276	959,143
AGAINST Initiative Measure No. 276	372,693

(This measure having received a constitutional majority approval is now identified as Chapter 1, Laws 1973.)

## REFERENDUM BILL NO. 24, captioned: "LOBBYISTS—REGULATION, REGISTRATION AND REPORTING."

FOR Referendum Bill No. 24	696,455
AGAINST Referendum Bill No. 24	576,404

(This measure having received a constitutional majority approval validates Chapter 82, Laws 1972.)

## REFERENDUM BILL NO. 25, captioned: "REGULATING CERTAIN ELECTORAL CAMPAIGN FINANCING."

FOR Referendum Bill No. 25	694,818
AGAINST Referendum Bill No. 25	574,856

(This measure having received a constitutional majority approval validates Chapter 98, Laws 1972.)

## REFERENDUM BILL NO. 26, captioned: "BONDS FOR WASTE DISPOSAL FACILITIES."

FOR Referendum Bill No. 26	827,077
AGAINST Referendum Bill No. 26	489,459

(This measure having received a constitutional majority approval validates Chapter 127, Laws 1972.)

## REFERENDUM BILL NO. 27, captioned: "BONDS FOR WATER SUPPLY FACILITIES."

FOR Referendum Bill No. 27	790,063
AGAINST Referendum Bill No. 27	544,176

(This measure having received a constitutional majority approval validates Chapter 128, Laws 1972.)

## REFERENDUM BILL NO. 28, captioned: "BONDS FOR PUBLIC RECREATION FACILITIES."

FOR Referendum Bill No. 28	758,530
AGAINST Referendum Bill No. 28	579,975

(This measure having received a constitutional majority approval validates Chapter 129, Laws 1972.)

## REFERENDUM BILL NO. 29, captioned: "HEALTH, SOCIAL SERVICE FACILITY BONDS."

FOR Referendum Bill No. 29	734,712
AGAINST Referendum Bill No. 29	594,172

(This measure having received a constitutional majority approval validates Chapter 130, Laws 1972.)



REFERENDUM BILL NO. 30, captioned: "BONDS FOR PUBLIC TRANSPORTATION IMPROVEMENTS."

FOR Referendum Bill No. 30	637,841
AGAINST Referendum Bill No. 30	665,493

REFERENDUM BILL NO. 31, captioned: "BONDS FOR COMMUNITY COLLEGE FACILITIES."

FOR Referendum Bill No. 31	721,403
AGAINST Referendum Bill No. 31	594,963

(This measure having received a constitutional majority approval validates Chapter 133, Laws 1972.)

INITIATIVE MEASURE NO. 40: (to the Legislature) Litter Control Act and

ALTERNATIVE MEASURE NO. 40B: (by the Legislature to the People) Providing Litter Control

FOR EITHER	788,151
AGAINST BOTH	418,764
PREFER NO. 40	194,128
PREFER NO. 40B	798,931

(As provided by the State Constitution, with the majority of the electors voting in favor of either measure and the most number of votes being cast in favor of Alternative Measure No. 40B, such action validates Chapter 307, Laws of 1971, 1st Ex. Session.)

INITIATIVE MEASURE NO. 43: (to the Legislature) Regulating Shoreline Use and Development and

ALTERNATIVE MEASURE NO. 43B: (by the Legislature to the People) Shoreline Management Act

FOR EITHER	603,167
AGAINST BOTH	551,132
PREFER NO. 43	185,721
PREFER NO. 43B	611,748

(As provided by the State Constitution, with the majority of the electors voting in favor of either measure and the most number of votes being cast in favor of Alternative Measure No. 43B, such action validates Chapter 286, Laws of 1971, 1st Ex. Session.)

INITIATIVE MEASURE NO. 44: (to the Legislature) Statutory Tax Limitation—20 Mills

FOR Initiative Measure No. 44	930,275
AGAINST Initiative Measure No. 44	301,238

(This measure having received a constitutional majority approval is now identified as Chapter 2, Laws 1973.)

PROPOSED CONSTITUTIONAL AMENDMENTS

S.J.R. NO. 1: "PROPERTY TAXATION—ONE PERCENT LIMITATION."

FOR S.J.R. No. 1	1,030,832
AGAINST S.J.R. No. 1	214,834

(This measure having received a constitutional majority approval is now identified as 55th Amendment to State Constitution.)

S.J.R. NO. 5: "PERMITTING THE AUTHORIZATION OF LOTTERIES."

FOR S.J.R. No. 5	787,251
AGAINST S.J.R. No. 5	489,282

(This measure having received a constitutional majority approval is now identified as 56th Amendment to State Constitution.)

S.J.R. NO. 38: "SETTING OF COUNTY OFFICERS' SALARIES."	
FOR S.J.R. No. 38	658,095
AGAINST S.J.R. No. 38	561,607
(This measure having received a constitutional majority approval is now identified as 57th Amendment to State Constitution.)	
H.J.R. NO. 1: "TAX EXEMPTIONS—PERIODIC REVIEW—REPEAL."	
FOR H.J.R. No. 1	544,868
AGAINST H.J.R. No. 1	668,505
H.J.R. NO. 21: "ALLOWED COMBINED COUNTY-CITY GOVERNMENTS."	
FOR H.J.R. No. 21	603,471
AGAINST H.J.R. No. 21	598,557
(This measure having received a constitutional majority approval is now identified as 58th Amendment to State Constitution.)	
H.J.R. NO. 47: "CHANGING EXCESS LEVY ELECTION FORMULA."	
FOR H.J.R. No. 47	686,320
AGAINST H.J.R. No. 47	491,703
(This measure having received a constitutional majority approval is now identified as 59th Amendment to State Constitution.)	
H.J.R. NO. 52: "CHANGING CONSTITUTIONAL DEBT LIMITATION FORMULA."	
FOR H.J.R. No. 52	673,376
AGAINST H.J.R. No. 52	477,144
(This measure having received a constitutional majority approval is now identified as 60th Amendment to State Constitution.)	
H.J.R. NO. 61: "SEX EQUALITY—RIGHTS AND RESPONSIBILITIES."	
FOR H.J.R. No. 61	645,115
AGAINST H.J.R. No. 61	641,746
(This measure having received a constitutional majority approval is now identified as 61st Amendment to State Constitution.)	

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

REPUBLICAN PARTY

Richard M. Nixon, Spiro T. Agnew . . . . . 837,135

DEMOCRATIC PARTY

George McGovern, R. Sargent Shriver . . . . . 568,334

INDEPENDENT PARTY

John G. Schmitz, Tom Anderson . . . . . 58,906

PEOPLE'S PARTY

Benjamin M. Spock, Julius W. Hobson . . . . . 2,644

LIBERTARIAN PARTY

John Hospers, Theodora (Tonie) Nathan . . . . . 1,537

SOCIALIST LABOR PARTY

Louis Fisher, Genevieve Gunderson . . . . . 1,102

SOCIALIST WORKERS PARTY

Linda Jenness, Andrew Pulley . . . . . 623

COMMUNIST PARTY

Gus Hall, Jarvis Tyner . . . . . 566

REPRESENTATIVES IN CONGRESS

First District

Joel Pritchard, Republican . . . . . 107,581  
 John Hempelmann, Democrat . . . . . 104,959  
 Craig Honts, Socialist Workers . . . . . 1,401

Second District

Lloyd Meeds, Democrat . . . . . 114,900  
 Bill Reams, Republican . . . . . 75,181

Third District

Julia Butler Hansen, Democrat . . . . . 122,933  
 R. C. (Skip) McConkey, Republican . . . . . 62,564

Fourth District

Mike McCormack, Democrat . . . . . 97,593  
 Stewart Bledsoe, Republican . . . . . 89,812

Fifth District

Thomas S. Foley, Democrat . . . . . 150,580  
 Clarice L. R. Privette, Republican . . . . . 34,742

Sixth District

Floyd V. Hicks, Democrat . . . . . 126,349  
 Thomas C. Lowry, Republican . . . . . 48,914

Seventh District

Brock Adams, Democrat . . . . . 140,307  
 J. J. (Tiny) Freeman, Republican . . . . . 19,889  
 Thomas Forsythe, Republican (write-in) . . . . . 4,128

STATE ELECTIVE OFFICES

GOVERNOR:

Daniel J. Evans, Republican . . . . . 747,825  
 Albert D. Rosellini, Democrat . . . . . 630,613  
 Vick Gould, Taxpayer\$ to Stop Taxe\$ . . . . . 86,843  
 Robin David, Socialist Workers . . . . . 4,552  
 Henry Killman, Socialist Labor . . . . . 2,709

LIEUTENANT GOVERNOR:

John A. Cherberg, Democrat . . . . . 877,035  
 Hal Wolf, Republican . . . . . 522,756

SECRETARY OF STATE:

A. Ludlow Kramer, Republican . . . . . 749,841  
 Don Bonker, Democrat . . . . . 642,941  
 Ann Montague, Socialist Workers . . . . . 8,817

STATE TREASURER:

Robert S. O'Brien, Democrat . . . . . 898,770  
 Norwood J. Brooks, Republican . . . . . 463,610

STATE AUDITOR:

R. V. (Bob) Graham, Democrat	867,283
Thomas F. Bangasser, Republican	436,768

ATTORNEY GENERAL:

Slade Gorton, Republican	771,408
Fred H. Dore, Democrat	648,339

SUPERINTENDENT OF PUBLIC INSTRUCTION:

Frank Buster Brouillet, Non-Partisan	662,804
James S. (Jim) Moore, Non-Partisan	525,658

COMMISSIONER OF PUBLIC LANDS:

Bert Cole, Democrat	1,036,132
R. J. (Big Bob) Odman, Republican	309,128

INSURANCE COMMISSIONER:

Karl Herrmann, Democrat	1,043,918
G. G. (Jim) Dunning, Republican	264,165

JUDGES OF THE STATE SUPREME COURT

POSITION NO. 1—Six Year Term:

Orris L. Hamilton	697,277
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POSITION NO. 2—Six Year Term:

Hugh J. Rosellini	739,119
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POSITION NO. 3—Six Year Term:

Charles T. Wright	685,518
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POSITION NO. 4—Two Year Unexpired Term:

Robert E. Utter	677,060
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*In Testimony Whereof*, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this 8th day of January, A.D., 1973.

A. LUDLOW KRAMER  
Secretary of State.

(Seal of the State of Washington)

The Speaker announced that in view of the election results just read, certified to by the Secretary of State, and to which there have been no protests, this Joint Session now declares the following qualified citizens to be elected the constitutionally elected officials for the State of Washington:

- DANIEL J. EVANS, GOVERNOR
- JOHN A. CHERBERG, LIEUTENANT GOVERNOR
- A. L. "LUD" KRAMER, SECRETARY OF STATE
- ROBERT S. O'BRIEN, STATE TREASURER
- SLADE GORTON, ATTORNEY GENERAL
- FRANK B. BROUILLET, SUPERINTENDENT OF PUBLIC INSTRUCTION
- BERT COLE, COMMISSIONER OF PUBLIC LANDS
- KARL HERRMANN, INSURANCE COMMISSIONER

The Speaker stated that the certificates of election would be signed by the President of the Senate and the Speaker of the House of Representatives at the Joint Session for Inauguration on Wednesday, January 10, 1973.

MOTION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the members of the Senate to the Senate Chamber.

SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 11:25 a.m.

MOTION

On motion of Senator Mardesich, the following resolution was adopted:

SENATE RESOLUTION 1973-4

By Senators Bailey and Mardesich:

BE IT RESOLVED, That the following standing committees shall constitute the standing committees of the Senate:

- 1. Agriculture . . . . . ( 7)
- 2. Commerce . . . . . ( 7)
- 3. Constitution and Elections . . . . . ( 7)
- 4. Ecology . . . . . ( 7)
- 5. Education . . . . . ( 7)
- 6. Financial Institutions . . . . . ( 7)
- 7. Higher Education . . . . . ( 7)
- 8. Judiciary . . . . . (11)
- 9. Labor . . . . . ( 7)
- 10. Local Government . . . . . (11)
- 11. Natural Resources . . . . . ( 7)
- 12. Parks and Recreation . . . . . ( 7)
- 13. Rules . . . . . (13)
- 14. Social and Health Services . . . . . (13)
- 15. State Government . . . . . ( 7)
- 16. Transportation and Utilities . . . . . (17)
- 17. Ways and Means . . . . . (19)

SIGNED BY THE PRESIDENT

The President signed:

- HOUSE CONCURRENT RESOLUTION NO. 1,
- HOUSE CONCURRENT RESOLUTION NO. 2.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2001, by Senators Durkan and Odegaard:

An Act relating to special proceedings; providing for compensation to victims of crime; and adding a new chapter to Title 7 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2002, by Senators Durkan, Odegaard and Gardner:

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370; and making an effective date.

Referred to Committee on Ways and Means.

## MOTION

On motion of Senator Odegaard, Senator Gardner was permitted as an additional sponsor on Senate Bill No. 2002.

SENATE BILL NO. 2003, by Senator Durkan:

An Act relating to state jurisdiction over Indians and Indian territories, country, or lands; providing for retrocession of state jurisdiction over certain subjects; amending section 1, chapter 240, Laws of 1957 as amended by section 1, chapter 36, Laws of 1963 and RCW 37.12.010; and adding new sections to chapter 240, Laws of 1957 and to chapter 37.12 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

An Act relating to the establishment and operation of a state lottery; creating a new chapter in Title 67 RCW; creating new sections; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020; repealing section 214, chapter 249, Laws of 1909 and RCW 9.59.030; repealing section 215, chapter 249, Laws of 1909 and RCW 9.59.040; repealing section 216, chapter 249, Laws of 1909 and RCW 9.59.050; and making an appropriation.

Referred to Judiciary Committee.

## MOTION

On motion of Senator Herr, Senators Stortini and Van Hollebeke were permitted as additional sponsors on Senate Bill No. 2004.

SENATE BILL NO. 2005, by Senator Durkan:

An Act relating to state government; establishing the Washington commission on Asian-American affairs; and creating a new chapter in Title 43 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 2006, by Senators Peterson (Lowell) and Talley:

An Act relating to game; adding a new section to chapter 36, Laws of 1955 and to chapter 77.32 RCW; and prescribing penalties.

Referred to Committee on Natural Resources.

## MOTION

On motion of Senator Peterson (Lowell), Senator Talley was added as additional sponsor to Senate Bill No. 2006.

SENATE BILL NO. 2007, by Senators Rasmussen and Newschwander:

An Act relating to property taxation; and amending section 84.36.060, chapter 15, Laws of 1961 and RCW 84.36.060.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2008, by Senator Bottiger:

An Act relating to public assistance; and amending section 74.04.060, chapter 26, Laws of 1959 and RCW 74.04.060.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2009, by Senators Canfield and Jolly (by Joint Committee on Nuclear Energy request):

An Act relating to state government; amending section 7, chapter 207, Laws of 1961 as

last amended by section 18, chapter 18, Laws of 1970 ex. sess. and RCW 70.98.070; and adding a new section to chapter 207, Laws of 1961 and chapter 70.98 RCW.

Referred to Committee on Ecology.

SENATE BILL NO. 2010, by Senator Walgren:

An Act relating to crimes and punishments; amending section 1, chapter 69, Laws of 1891 as last amended by section 1, chapter 112, Laws of 1919 and RCW 9.48.030; amending section 1, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.010; amending section 65, chapter 249, Laws of 1909 and RCW 9.82.010; and amending section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040.

Referred to Judiciary Committee.

SENATE BILL NO. 2011, by Senator Herr:

An Act relating to taxation and deferring certain retired persons' property taxes and creating a lien; adding new sections as a new chapter to Title 84 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2012, by Senator Grant:

An Act relating to public health and safety; creating a new chapter in Title 70 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2014, by Senators Henry and Donohue (by Legislative Transportation Committee request):

An Act relating to motor vehicles; and amending section 2, chapter 144, Laws of 1967 and RCW 46.64.070.

Referred to Judiciary Committee.

SENATE BILL NO. 2015, by Senators Henry and Washington (by Legislative Transportation Committee request):

An Act relating to motor vehicles; amending section 4, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.020; amending section 6, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.040; amending section 11, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.090; and amending section 13, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.110.

Referred to Judiciary Committee.

SENATE BILL NO. 2016, by Senators Henry, Donohue and Washington:

An Act relating to emergency medical care and health services; creating a new chapter in Title 18 RCW; and establishing an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2017, by Senators Bailey, Durkan, Peterson (Ted), Rasmussen and Washington (by State Treasurer request):

An Act relating to veterans benefits; amending section 2, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.020; and amending section 10, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.090.

Referred to Committee on State Government.

SENATE BILL NO. 2018, by Senators Bailey and Atwood (by State Treasurer request):

An Act relating to the state treasurer; creating a "state treasurer's service fund"; amending section 2, chapter 72, Laws of 1971 ex. sess. and RCW 43.85.241; adding new sections to chapter 43.08 RCW; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2019, by Senators Fleming and Lewis (Harry) (by State Treasurer request):

An Act relating to the state treasurer; amending section 43.08.120, chapter 8, Laws of 1965 as amended by section 1, chapter 15, Laws of 1971 and RCW 43.08.120; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2020, by Senators Newschwander and Rasmussen:

An Act relating to air pollution control; amending section 1, chapter 232, Laws of 1971 ex. sess. and RCW 70.94.650; repealing section 1, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.740; repealing section 2, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.745; repealing section 3, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.750; repealing section 4, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.755; repealing section 5, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.760; and repealing section 6, chapter 136, Laws of 1972 ex. sess. and RCW 70.94.765.

Referred to Committee on Ecology.

#### MOTION

On motion of Senator Newschwander, Senator Rasmussen was permitted as an additional sponsor on Senate Bill No. 2020.

SENATE BILL NO. 2021, by Senators Stortini, Grant, Metcalf, Ridder, Odegaard, Gardner, Herr and Canfield:

An Act relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965 and RCW 29.13.010; amending section 29.27.045, chapter 9, Laws of 1965 and RCW 29.27.045; amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030; amending section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 20.42.050; amending section 29.68.080, chapter 9, Laws of 1965 and RCW 29.68.090; amending section 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.090; amending section 29.80.010, chapter 9, Laws of 1965 and RCW 29.80.010; adding a new section to chapter 9, Laws of 1965 and to Title 29 RCW; and declaring an emergency.

Referred to Committee on Constitution and Elections.

#### MOTION

On motion of Senator Stortini, Senators Grant, Metcalf, Ridder, Odegaard, Gardner, Herr and Canfield were permitted as additional sponsors on Senate Bill No. 2021.

SENATE BILL NO. 2022, by Senators Rasmussen, Newschwander, Knoblauch, Guess, Peterson (Ted) and Canfield:

An Act relating to motor vehicles; prohibiting hitchhiking; and amending section 38, chapter 155, Laws of 1965 as amended by section 1, chapter 38, Laws of 1972 ex. sess. and RCW 46.61.255.

President Pro Tempore Henry referred Senate Bill No. 2022 to the Judiciary Committee.

#### POINT OF INFORMATION

Senator Rasmussen: "Mr. President, what would be the appropriate time to re-refer the bill to a different committee?"

President Pro Tempore Henry: "You can make the motion at any time, Senator."

#### MOTION

Senator Rasmussen moved that Senate Bill No. 2022 be re-referred from the Judiciary Committee to the Transportation Committee.

Debate ensued.



## POINT OF INFORMATION

Senator Metcalf: "I would like to ask—perhaps I missed it—but where was the bill referred last time, in the last session, the bill that passed? To what committee did it go?"

Senator Francis: "Mr. President, Senator Metcalf, the bill was in the Judiciary Committee in the past. That has always been the committee that considered the subject.

"I would object to referring that matter to any committee other than Judiciary. The Judiciary Committee has considered that subject in the past and it should continue to. It relates to the criminal law and criminal penalties and it is an appropriate bill for the Judiciary Committee and I think that it should be left in the Judiciary Committee."

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Greive, Bailey, Stortini, Scott, Donohue, Dore, Knoblauch, Talley and Newschwander.

## ROLL CALL

The Secretary called the roll and the motion by Senator Rasmussen failed and Senate Bill No. 2022 was referred to the Judiciary Committee by the following vote: Yeas, 19; nays, 27; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Day, Greive, Guess, Henry, Jolly, Jones, Knoblauch, Lewis (Bob), Mardesich, Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Stortini, Wanamaker—19.

Voting nay: Senators Atwood, Clarke, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Herr, Keefe, Lewis (Harry), Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Sellar, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—27.

Absent or not voting: Senators Sandison, Stender—2.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2023, by Senators Peterson (Ted), Francis, Herr and Durkan:

An Act relating to barbers and beauty culture; amending section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957 and RCW 18.15.010; amending section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050; amending section 9, chapter 101, Laws of 1957 as amended by section 6, chapter 223, Laws of 1967 and RCW 18.15.053; amending section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090; amending section 13, chapter 223, Laws of 1967 and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110; amending section 18, chapter 215, Laws of 1937 and RCW 18.18.040; and adding new sections to chapter 75, Laws of 1923 and to chapter 18.15 RCW.

Referred to Committee on Commerce.

SENATE BILL NO. 2024, by Senator Rasmussen:

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370; amending section 5, chapter 288, Laws of 1971 ex. sess. as amended by section 3, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.380; and making an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2025, by Senator Walgren:

An Act relating to the property and money of deceased inmates of state institutions; and amending section 11.08.111, chapter 145, Laws of 1965 and RCW 11.08.111.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2026, by Senator Walgren:

An Act relating to precinct committeemen; and amending section 29.42.050, chapter

9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2028, by Senators Stortini and Connor:

An Act relating to the hours of employment; adding new sections to chapter 49.28 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Labor.

#### MOTION

On motion of Senator Stortini, Senator Connor was permitted as an additional sponsor to Senate Bill No. 2028.

SENATE BILL NO. 2029, by Senator Rasmussen:

An Act relating to urban renewal; repealing section 35.81.010, chapter 7, Laws of 1965, section 6, chapter 177, Laws of 1971 ex. sess. and RCW 35.81.010; repealing section 35.81.020, chapter 7, Laws of 1965 and RCW 35.81.020; repealing section 35.81.030, chapter 7, Laws of 1965 and RCW 35.81.030; repealing section 35.81.040, chapter 7, Laws of 1965 and RCW 35.81.040; repealing section 35.81.050, chapter 7, Laws of 1965 and RCW 35.81.050; repealing section 35.81.060, chapter 7, Laws of 1965 and RCW 35.81.060; repealing section 35.81.070, chapter 7, Laws of 1965 and RCW 35.81.070; repealing section 35.81.080, chapter 7, Laws of 1965 and RCW 35.81.080; repealing section 35.81.090, chapter 7, Laws of 1965 and RCW 35.81.090; repealing section 35.81.100, chapter 7, Laws of 1965, section 21, chapter 232, Laws of 1969 ex. sess., section 44, chapter 56, Laws of 1970 ex. sess. and RCW 35.81.100; repealing section 35.81.110, chapter 7, Laws of 1965 and RCW 35.81.110; repealing section 35.81.115, chapter 7, Laws of 1965 and RCW 35.81.115; repealing section 35.81.120, chapter 7, Laws of 1965 and RCW 35.81.120; repealing section 35.81.130, chapter 7, Laws of 1965 and RCW 35.81.130; repealing section 35.81.140, chapter 7, Laws of 1965 and RCW 35.81.140; repealing section 35.81.150, chapter 7, Laws of 1965 and RCW 35.81.150; repealing section 35.81.160, chapter 7, Laws of 1965 and RCW 35.81.160; repealing section 35.81.170, chapter 7, Laws of 1965 and RCW 35.81.170; repealing section 35.81.180, chapter 7, Laws of 1965 and RCW 35.81.180; and repealing section 35.81.910, chapter 7, Laws of 1965 and RCW 35.81.910.

Referred to Committee on Local Government.

SENATE BILL NO. 2030, by Senator Metcalf:

An Act relating to crimes and criminal procedure; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919 and RCW 9.48.030; amending section 1, chapter 238, Laws of 1951 and RCW 9.95.115; amending section 1, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.010; adding new sections to chapter 9.48 RCW; and providing for submission of this act to a vote of the people.

Referred to Judiciary Committee.

SENATE BILL NO. 2031, by Senators Greive and Ridder:

An Act relating to crimes and criminal procedure; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2032, by Senators Dore and Peterson (Ted):

An Act relating to appraisers; creating a new chapter in Title 19 RCW; providing an effective date; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2033, by Senator Odegaard:

An Act relating to the recount of ballot measures; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.64 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2034, by Senator Talley:

An Act relating to elections; amending section 29.01.160, chapter 9, Laws of 1965 and RCW 29.01.160; amending section 29.04.040, chapter 9, Laws of 1965 as amended by section 1, chapter 109, Laws of 1967 ex. sess. and RCW 29.04.040; amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; 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 29.27.020, chapter 9, Laws of 1965 as amended by section 4, chapter 103, Laws of 1965 ex. sess. and RCW 29.27.020; amending section 29.39.030, chapter 9, Laws of 1965 as amended by section 5, chapter 109, Laws of 1967 ex. sess. and RCW 29.39.030; amending section 12, chapter 101, Laws of 1965 ex. sess. as amended by section 2, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.043; and adding new section to Title 29 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2035, by Senators Talley, Guess and Henry:

An Act relating to taxation of property; amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; adding new sections to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; repealing section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110; repealing section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120; repealing section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; repealing section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140; and prescribing an effective date.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Talley, Senators Guess and Henry were permitted as additional sponsors on Senate Bill No. 2035.

SENATE BILL NO. 2036, by Senators Odegaard, Talley and Gardner:

An Act relating to the department of social and health services; amending section 5, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.050; amending section 6, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.060; amending section 9, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.110; amending section 29, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.220; and adding a new section to chapter 43.20A RCW.

Referred to Committee on Social and Health Services.

#### MOTION

On motion of Senator Odegaard, Senator Gardner was permitted as an additional sponsor on Senate Bill No. 2036.

SENATE BILL NO. 2037, by Senators Donohue, Henry, Walgren and Jolly (by Legislative Transportation Committee request):

An Act relating to farm machinery on public highways; amending section 46.44.010, chapter 12, Laws of 1961 and RCW 46.44.010; amending section 46.44.090, chapter 12, Laws of 1961 and RCW 46.44.090; and amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1970 ex. sess. and RCW 46.44.092.

Referred to Committee on Transportation and Utilities.

There being no objection, additional sponsors were permitted on Senate Bill No. 2037.

SENATE BILL NO. 2038, by Senators Whetzel, Murray and Gardner (by Legislative Council request):

An Act relating to revenue and taxation; amending section 43, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.260; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2039, by Senators Francis and Woody:

An Act relating to cities and towns; and adding a new section to chapter 7, Laws of 1965 and chapter 35.68 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2040, by Senators Clarke and Woody:

An Act relating to gift taxes; and amending section 83.56.050, chapter 15, Laws of 1961 as last amended by section 69, chapter 292, Laws of 1971 ex. sess. and RCW 83.56.050.

Referred to committee on Ways and Means.

SENATE BILL NO. 2041, by Senators Atwood and Bottiger:

An Act relating to nonprofit corporations; and adding a new chapter to Title 24 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2042, by Senators Francis, Twigg and Woodall:

An Act relating to civil procedure; providing for allowances of attorneys' fees as costs in certain actions; and adding new sections to chapter 4.84 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2043, by Senators Francis, Clarke and Woody:

An Act relating to civil procedure; providing for jurisdiction in certain cases; and amending section 2, chapter 131, Laws of 1959 and RCW 4.28.185.

Referred to Judiciary Committee.

SENATE BILL NO. 2044, by Senators Scott and Marsh:

An Act relating to motor vehicle insurance; amending section .05.14, chapter 79, Laws of 1947 as last amended by section 3, chapter 241, Laws of 1969 ex. sess. and RCW 48.05.140; amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030; creating a new chapter in Title 48 RCW; providing penalties; and declaring an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2045, by Senators Scott and Marsh:

An Act relating to civil procedure; creating a new chapter in Title 4 RCW; and declaring an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2046, by Senators Scott and Marsh:

An Act relating to motor vehicles; repealing section 46.08.080, chapter 12, Laws of 1961 and RCW 46.08.080; repealing section 1, chapter 18, Laws of 1933 and RCW 46.08.085; repealing section 2, chapter 18, Laws of 1933 and RCW 46.08.086; and providing an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2047, by Senators Peterson (Ted), Canfield, Wanamaker, Washington, Ridder, Keefe, Stender and Talley:

An Act relating to affairs of decedents, missing persons, protected persons, minors, incapacitated persons, and certain others and constituting the Uniform Probate Code; consolidating and revising aspects of the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; providing for the validity

and effect of certain nontestamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; providing certain procedures to facilitate enforcement of testamentary and other trusts; making uniform the law with respect to decedents and certain others; amending section 33, chapter 64, Laws of 1895 and RCW 6.12.080; amending section 4, chapter 64, Laws of 1895 as last amended by section 2, chapter 196, Laws of 1945 and RCW 6.12.090; amending section 11.80.055, chapter 145, Laws of 1965 and RCW 11.80.055; amending section 2409, Code of 1881 as amended by section 3, chapter 108, Laws of 1972 ex. sess. and RCW 26.16.030; amending section 30.20.010, chapter 33, Laws of 1955 and RCW 30.20.010; amending section 30.20.015, chapter 33, Laws of 1955 as last amended by section 5, chapter 133, Laws of 1967 and RCW 30.20.015; amending section 30.20.020, chapter 33, Laws of 1955 as amended by section 2, chapter 280, Laws of 1961 and RCW 30.20.020; amending section 30.24.020, chapter 33, Laws of 1955 and RCW 30.24.020; amending section 32.12.010, chapter 13, Laws of 1955 as last amended by section 1, chapter 145, Laws of 1967 and RCW 32.12.010; amending section 32.12.020, chapter 13, Laws of 1955 as last amended by section 2, chapter 55, Laws of 1969 and RCW 32.12.020; amending section 32.12.030, chapter 13, Laws of 1955 as last amended by section 4, chapter 176, Laws of 1963 and RCW 32.12.030; amending section 46, chapter 235, Laws of 1945 as amended by section 6, chapter 246, Laws of 1963 and RCW 33.20.080; amending section 2, chapter 139, Laws of 1939 as amended by section 1, chapter 210, Laws of 1967 and RCW 49.48.120; amending section 10, chapter 173, Laws of 1933 as amended by section 9, chapter 131, Laws of 1943 and RCW 31.12.140; repealing section 11.02.005, chapter 145, Laws of 1965 and RCW 11.02.005; repealing section 11.02.010, chapter 145, Laws of 1965 and RCW 11.02.010; repealing section 11.02.020, chapter 145, Laws of 1965 and RCW 11.02.020; repealing section 11.02.030, chapter 145, Laws of 1965 and RCW 11.02.030; repealing section 11.02.060, chapter 145, Laws of 1965 and RCW 11.02.060; repealing section 1, chapter 168, Laws of 1967 and RCW 11.02.070; repealing section 11.04.015, chapter 145, Laws of 1965, section 1, chapter 55, Laws of 1965 ex. sess., section 2, chapter 168, Laws of 1967 and RCW 11.04.015; repealing section 11.04.035, chapter 145, Laws of 1965, section 3, chapter 168, Laws of 1967 and RCW 11.04.035; repealing section 11.04.041, chapter 145, Laws of 1965 and RCW 11.04.041; repealing section 11.04.060, chapter 145, Laws of 1965 and RCW 11.04.060; repealing section 11.04.081, chapter 145, Laws of 1965 and RCW 11.04.081; repealing section 11.04.085, chapter 145, Laws of 1965 and RCW 11.04.085; repealing section 11.04.095, chapter 145, Laws of 1965 and RCW 11.04.095; repealing section 11.04.250, chapter 145, Laws of 1965 and RCW 11.04.250; repealing section 11.04.270, chapter 145, Laws of 1965 and RCW 11.04.270; repealing section 11.04.290, chapter 145, Laws of 1965 and RCW 11.04.290; repealing section 11.05.010, chapter 145, Laws of 1965 and RCW 11.05.010; repealing section 11.05.020, chapter 145, Laws of 1965 and RCW 11.05.020; repealing section 11.05.030, chapter 145, Laws of 1965 and RCW 11.05.030; repealing section 11.05.040, chapter 145, Laws of 1965 and RCW 11.05.040; repealing section 11.05.050, chapter 145, Laws of 1965 and RCW 11.05.050; repealing section 11.05.900, chapter 145, Laws of 1965 and RCW 11.05.900; repealing section 11.05.910, chapter 145, Laws of 1965 and RCW 11.05.910; repealing section 19, chapter 26, Laws of 1967 ex. sess. and RCW 11.08.005; repealing section 11.08.101, chapter 145, Laws of 1965 and RCW 11.08.101; repealing section 11.08.111, chapter 145, Laws of 1965 and RCW 11.08.111; repealing section 11.08.120, chapter 145, Laws of 1965 and RCW 11.08.120; repealing section 11.08.140, chapter 145, Laws of 1965 and RCW 11.08.140; repealing section 11.08.150, chapter 145, Laws of 1965 and RCW 11.08.150; repealing section 11.08.160, chapter 145, Laws of 1965 and RCW 11.08.160; repealing section 11.08.170, chapter 145, Laws of 1965 and RCW 11.08.170; repealing section 11.08.180, chapter 145, Laws of 1965 and RCW 11.08.180; repealing section 11.08.200, chapter 145, Laws of 1965 and RCW 11.08.200; repealing section 1, chapter 249, Laws of 1969 ex. sess. and RCW 11.08.205; repealing section 11.08.210, chapter 145, Laws of 1965 and RCW 11.08.210; repealing section 11.08.220, chapter 145, Laws of 1965 and RCW 11.08.220; repealing section 11.08.230, chapter 145, Laws of 1965 and RCW 11.08.230; repealing section 11.08.240, chapter 145, Laws of 1965 and RCW 11.08.240; repealing section 11.08.250, chapter 145, Laws of 1965 and RCW 11.08.250; repealing section 11.08.260, chapter 145, Laws of 1965 and RCW 11.08.260; repealing section 11.08.270, chapter 145,











chapter 145, Laws of 1965 and RCW 11.92.110; repealing section 11.92.115, chapter 145, Laws of 1965 and RCW 11.92.115; repealing section 11.92.120, chapter 145, Laws of 1965 and RCW 11.92.120; repealing section 11.92.125, chapter 145, Laws of 1965 and RCW 11.92.125; repealing section 11.92.130, chapter 145, Laws of 1965 and RCW 11.92.130; repealing section 11.92.150, chapter 145, Laws of 1965, section 1, chapter 18, Laws of 1969 and RCW 11.92.150; repealing section 11.92.160, chapter 145, Laws of 1965 and RCW 11.92.160; repealing section 11.92.170, chapter 145, Laws of 1965 and RCW 11.92.170; repealing section 11.92.180, chapter 145, Laws of 1965 and RCW 11.92.180; repealing section 11.92.185, chapter 145, Laws of 1965 and RCW 11.92.185; repealing section 11.96.010, chapter 145, Laws of 1965, section 53, chapter 81, Laws of 1971 and RCW 11.96.010; repealing section 11.98.010, chapter 145, Laws of 1965 and RCW 11.98.010; repealing section 11.98.020, chapter 145, Laws of 1965 and RCW 11.98.020; repealing section 11.98.030, chapter 145, Laws of 1965 and RCW 11.98.030; repealing section 11.98.040, chapter 145, Laws of 1965 and RCW 11.98.040; repealing section 11.98.050, chapter 145, Laws of 1965, section 1, chapter 229, Laws of 1971 ex. sess. and RCW 11.98.050; repealing section 30.30.010, chapter 33, Laws of 1955 and RCW 30.30.010; repealing section 30.30.020, chapter 33, Laws of 1955 and RCW 30.30.020; repealing section 30.30.030, chapter 33, Laws of 1955 and RCW 30.30.030; repealing section 30.30.040, chapter 33, Laws of 1955 and RCW 30.30.040; repealing section 30.30.050, chapter 33, Laws of 1955 and RCW 30.30.050; repealing section 30.30.060, chapter 33, Laws of 1955 and RCW 30.30.060; repealing section 30.30.070, chapter 33, Laws of 1955 and RCW 30.30.070; repealing section 30.30.080, chapter 33, Laws of 1955 and RCW 30.30.080; repealing section 30.30.090, chapter 33, Laws of 1955, section 80, chapter 81, Laws of 1971 and RCW 30.30.090; repealing section 30.30.100, chapter 33, Laws of 1955 and RCW 30.30.100; repealing section 30.30.110, chapter 33, Laws of 1955 and RCW 30.30.110; repealing section 30.30.120, chapter 33, Laws of 1955 and RCW 30.30.120; repealing section 1, chapter 124, Laws of 1959 and RCW 30.99.010; repealing section 2, chapter 124, Laws of 1959 and RCW 30.99.020; repealing section 3, chapter 124, Laws of 1959 and RCW 30.99.030; repealing section 4, chapter 124, Laws of 1959 and RCW 30.99.040; repealing section 5, chapter 124, Laws of 1959 and RCW 30.99.050; repealing section 6, chapter 124, Laws of 1959 and RCW 30.99.060; repealing section 7, chapter 124, Laws of 1959 and RCW 30.99.070; repealing section 8, chapter 124, Laws of 1959 and RCW 30.99.080; repealing section 9, chapter 124, Laws of 1959 and RCW 30.99.090; repealing section 10, chapter 124, Laws of 1959 and RCW 30.99.100; repealing section 11, chapter 124, Laws of 1959 and RCW 30.99.900; repealing section 12, chapter 124, Laws of 1959 and RCW 30.99.910; creating a new title to be designated as Title 11A RCW; and prescribing an effective date.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 2047.

SENATE BILL NO. 2048, by Senators Woody, Francis and Jones:

An Act relating to duties of county clerks; amending section 36.23.065, chapter 4, Laws of 1963 as amended by section 1, chapter 29, Laws of 1971 and RCW 36.23.065; and amending section 36.23.070, chapter 4, Laws of 1963 as amended by section 3, chapter 34, Laws of 1967 ex. sess. and RCW 36.23.070.

Referred to Judiciary Committee.

SENATE BILL NO. 2049, by Senators Odegaard, Canfield and Bottiger (by Permanent Property Tax Committee request):

An Act relating to the taxation of property; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080, adding a new section to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; and prescribing penalties.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2050, by Senators Marsh and Metcalf:

An Act relating to foodfish and game fish; adding a new chapter to Title 77 RCW; defining crimes; prescribing penalties; and providing for an effective date.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2051, by Senators Peterson (Ted), Greive, Stortini, Metcalf, Dore, Ridder, Canfield and Keefe:

An Act relating to crimes and punishments; adding new chapters to Title 9 RCW; repealing section 118, page 96, Laws of 1854, section 124, page 226, Laws of 1869, section 130, page 210, Laws of 1873, section 850, Code of 1881, section 1, page 122, Laws of 1886, section 24, chapter 69, Laws of 1891, section 207, chapter 249, Laws of 1909, section 1, chapter 260, Laws of 1959, section 1, chapter 146, Laws of 1961, section 1, chapter 92, Laws of 1969 and RCW 9.68.010; repealing section 13, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.050; repealing section 14, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.060; repealing section 15, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.070; repealing section 17, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.090; repealing section 18, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.100; repealing section 19, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.110; repealing section 20, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.120; defining crimes; and prescribing penalties.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 2051.

SENATE BILL NO. 2052, by Senators Henry and Wanamaker (by Department of Motor Vehicles request):

An Act relating to duplicate driver's licenses; amending section 46.20.200, chapter 12, Laws of 1961 as amended by section 16, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.200; and providing for an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2053, by Senators Grant, Durkan and Matson:

An Act relating to county central committees of political parties; and amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2054, by Senators Henry and Wanamaker (by Department of Motor Vehicles request):

An Act relating to driver's licenses; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 2, chapter 1, Laws of 1969 and RCW 46.20.311; and declaring an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2055, by Senators Bottiger, Stortini, Twigg and Walgren (by Department of Motor Vehicles request):

An Act relating to drivers' licenses; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.20 RCW.

Referred to Committee on Transportation and Utilities.

There being no objection, additional sponsors were permitted on Senate Bill No. 2055.

SENATE JOINT MEMORIAL NO. 101, by Senator Greive:

Requesting the FBI to draft model gambling statutes.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 101, by Senators Woody, Grant and Francis:

Amending the Constitution to allow more than three court commissioners in a county.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 102, by Senators Herr and Grant:

Amending the Constitution to limit the governor to two consecutive terms.  
Referred to Committee on Constitution and Elections.

## MOTION

On motion of Senator Herr, Senator Grant was permitted as an additional sponsor on Senate Joint Resolution No. 102.

SENATE JOINT RESOLUTION NO. 103, by Senators Lewis (Harry), Durkan, Metcalf, Rasmussen, Ridder, Bottiger, Odegaard, Twigg, Guess and Woodall:

Providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill.

Referred to Committee on Constitution and Elections.

## MOTION

On motion of Senator Lewis (Harry), additional sponsors were permitted on Senate Joint Resolution No. 103.

SENATE JOINT RESOLUTION NO. 104, by Senator Rasmussen:

Providing that the governor shall veto no less than an entire section of a bill except for appropriations.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 106, by Senators Metcalf, Murray, Gardner and Ridder:

Providing for the retirement of judges at the age of seventy and setting limitations on the number of years one can hold elective office.

Referred to Committee on Constitution and Elections.

## MOTION

On motion of Senator Metcalf, Senator Ridder was permitted as an additional sponsor on Senate Joint Resolution No. 106.

SENATE CONCURRENT RESOLUTION NO. 101, by Senators Greive, Ridder, Stortini, Connor, Knoblauch, Washington and Van Hollebeke:

Providing for changes in the Joint Rules of the Senate and House of Representatives.

Referred to Committee on Rules.

SENATE CONCURRENT RESOLUTION NO. 102, by Senators Greive and Ridder:

Providing that with certain exceptions, legislative employees shall be hired pursuant to the civil service law.

Referred to Committee on Rules.

SENATE CONCURRENT RESOLUTION NO. 103, by Senators Greive and Ridder:

Amending joint rules to require a published agenda for the rules committee and establishing procedures for a recorded vote in any committee.

Referred to Committee on Rules.

## MOTION

At 11:55 a.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:00 p.m.

## MOTIONS

On motion of Senator Knoblauch, Senator Sandison was excused.  
 Senator Keefe moved adoption of the following resolution:

## SENATE RESOLUTION 1973-5

By Senators Keefe, Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, John Spiller has had an illustrious career at the state and federal bar and is well respected and highly regarded by the state and federal judges for his legal ability, his unflinching courtesy, his vigorous efforts in behalf of his clients, and his sense of compassion and his wisdom; and

WHEREAS, John Spiller, during the past thirty years rendered invaluable services to both houses of the Legislature of the State of Washington; and

WHEREAS, During the past several sessions John Spiller, in his capacity as Senate caucus attorney, through his industry, his legal ability, his imagination and ingenuity, contributed greatly in helping the members of the Senate to fulfill their constitutional and legislative obligations; and

WHEREAS, John Spiller unstintingly and often beyond the call of duty assisted individual members of the Senate in various endeavors; and

WHEREAS, Following the conclusion of the 1972 Extraordinary Legislative Session, John Spiller incurred a serious illness from which he has unfortunately not yet recovered;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, that as a token of its appreciation for the faithful service rendered by John Spiller during many years of employment takes this occasion to thank him and we, the undersigned members of the Senate, wish him a speedy recovery and pray for his well-being.

BE IT FURTHER RESOLVED, That the Secretary of the Senate present and deliver this resolution in suitable form to John Spiller, Jr. for transmission to John Spiller. \_ \_

Senator Greive: "Gentlemen of the Senate, I suppose that the reason Jimmy asked me to say a few words for John is because he and I were good friends. We, like so many of us here in the Senate, served in a sense as comrades in slightly different capacities for many years. I was always very proud to have John as my friend. I might add that as a legislator I always considered him my personal lawyer. When I had any difficult problem, I would go to him and discuss with him the difficult problems I had, whether it be in procedure or in some particular bill or to draw an amendment. I have always considered myself reasonably close to John, including when he appeared on the redistricting matter in federal court and drew a number of the pleadings. I would like to say that all that was said in this particular resolution is true. He was a self-effacing, a very good lawyer, a very kind and gentle individual. He carried no rancor. He was a good hard worker. We put a lot more hours in than were necessary. And I think the most important thing about him was that he had tremendous integrity. You could not talk to him without constantly finding that he believed certain things were right and if those things were right he insisted that this is the way it should be. If there was anything that was quick or the easy way of doing something that he felt was improper or took advantage of somebody, John Spiller always said, 'Well, we do not do that. We give them notice. We give them a chance,' and that sort of thing. It is a wonderful thing, I think, that we as a body pass this resolution because it is for a man who deserves it."

Senator Woodall: "Mr. President and members of the Senate, Senator Keefe asked me if I felt as he did in this matter. I stated I did and he asked me if I would say a few words. I think the paragraph in this particular resolution which appeals to me particularly is the one that says, 'Whereas, John Spiller unstintingly and often beyond the call of duty assisted individual members of the Senate in various endeavors.' It appeals to me particularly because he did not regard himself as the property of any one Senator or any one party. And

on the committees that he came up to serve, if you would suggest that he prepare an amendment or suggest that he brief something out, I never once had him ever remind me that he belonged to the majority party and that I should go hunt up the minority attorney. Or if I asked him to explore a certain point for me he always was very, very willing to do it, and as pointed out by Senator Greive, you would find him sitting here many, many times long hours after the regular session and what would be normally the regular working day was over. It is regrettable that sometimes the reward for this extra service seems to be that mother nature pays you off sometimes by striking you down with an illness. Sometimes those who work the hardest and do the most seem to somehow suffer because of it. I know that every member here joins with us in this particular regard.

"Senator Keefe, a thought has just occurred to me. I hate to spring it on you but I know how much it means to someone when there is a resolution from every member of the Senate. If you would have no objections to this, if it would be the wish of the body, I think the son would perhaps be much more thrilled—yours could be the leadoff name but I am sure it would increase the thrill to the son, if this could reflect the fact that it was joined in by the entire body."

Senator Whetzel: "I would like to second the comments of Senator Greive and Senator Woodall with respect to John Spiller, whom I have known for many years, nearly twenty years now as a lawyer, as a neighbor and as a political candidate. When I first ran for the legislature in 1964 in a district that then, prior to two redistrictings, was somewhat more substantially Republican than it is now, it was quite often difficult for the minority party in our district, the majority party in some other parts of the state, to find candidates to run, and in 1964 when George Clarke and I were running for the House there was an open spot on the Democratic ticket. John Spiller volunteered, or was volunteered for that, and it was an experience for me to meet and on one or two occasions debate some of the issues with him and increase my respect for him. And when the campaign was over the Seattle Times ran an editorial, not on the victorious campaign that George Clarke and I had run, because I guess that is what they expected of us, but to congratulate John Spiller for the fine effort that he had done and the effort that he had made instead of letting that position go by default, to file and run for the office. And many years since then we have chuckled over that particular editorial and the campaign and it has been a pleasure to work with John Spiller in the Senate the many times that he has sat over there when we have come close to the end of the session with difficult amendments and the help that he has given me and all the other members of the Senate and I know we all wish him well."

#### MOTION

On motion of Senator Rasmussen, all members of the Senate were allowed to sponsor Senate Resolution 1973-5.

The motion by Senator Keefe carried and the resolution was adopted.

#### MOTION

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-6

By Senators Bailey and Mardesich:

BE IT RESOLVED, That the standing committees of the Senate shall consist of the following members:

#### 1973 STANDING COMMITTEES

AGRICULTURE—(7)—Senator Jolly, Chairman; Senators Day, Donohue, Matson, Sellar, Twigg, Washington.

COMMERCE—(7)—Senator Greive, Chairman; Senators Francis, Herr, Lewis (R. H.), Peterson (Lowell), Wanamaker, Whetzel.

CONSTITUTION AND ELECTIONS—(7)—Senator Grant, Chairman; Senators Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

ECOLOGY-(7)-Senator Washington, Chairman; Senators Donohue, Guess, Murray, Stortini, Van Hollebeke, Whetzel.

EDUCATION-(7)-Senator Gardner, Chairman; Senators Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

FINANCIAL INSTITUTIONS-(7)-Senator Dore, Chairman; Senators Clarke, Jones, Keefe, Mardesich, Newschwander, Walgren.

HIGHER EDUCATION-(7)-Senator Sandison, Chairman; Senators Donohue, Durkan, Guess, Marsh, Metcalf, Scott.

JUDICIARY-(11)-Senator Francis, Chairman; Senator Woody, Vice Chairman; Senators Atwood, Bottiger, Clarke, Dore, Durkan, Greive, Twigg, Van Hollebeke, Woodall.

LABOR-(7)-Senator Connor, Chairman; Senators Fleming, Grant, Jones, Matson, Ridder, Stender.

LOCAL GOVERNMENT-(11)-Senator Fleming, Chairman; Senator Ridder, Vice Chairman; Senators Connor, Gardner, Jolly, Lewis (R. H.), Murray, Sellar, Talley, Walgren, Whetzel.

NATURAL RESOURCES-(7)-Senator Peterson (Lowell), Chairman; Senators Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison, Talley.

PARKS AND RECREATION-(7)-Senator Knoblauch, Chairman; Senators Bailey, Canfield, Jones, Odegaard, Wanamaker, Woody.

RULES-(13)-Lieutenant Governor Cherberg, Chairman; Senators Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Stender, Talley, Woodall.

SOCIAL AND HEALTH SERVICES-(13)-Senator Day, Chairman; Senator Hollebeke, Vice Chairman; Senators Clarke, Francis, Greive, Herr, Jones, Keefe, Murray, Ridder, Twigg, Woodall, Woody.

STATE GOVERNMENT-(7)-Senator Rasmussen, Chairman; Senators Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

TRANSPORTATION AND UTILITIES-(17)-Senator Walgren, Chairman; Senator Henry, Vice Chairman; Senator Stortini, Vice Chairman; Senators Bottiger, Connor, Guess, Knoblauch, Lewis (R. H.), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Talley, Wanamaker, Washington, Whetzel.

WAYS AND MEANS-(19)-Senator Durkan, Chairman; Senator Donohue, Vice Chairman; Senator Odegaard, Vice Chairman; Senators Atwood, Bailey, Canfield, Dore, Fleming, Gardner, Grant, Jolly, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Sandison, Scott.

#### 1973 STANDING COMMITTEES INDIVIDUAL ASSIGNMENTS

ATWOOD, R. FRANK-Judiciary, Rules, Ways and Means.

BAILEY, ROBERT C.-Parks and Recreation, Rules, Ways and Means.

BOTTIGER, R. TED-Education, Judiciary, Rules, Transportation and Utilities.

CANFIELD, DAMON R.-Constitution and Elections, Parks and Recreation, Ways and Means.

CLARKE, GEORGE W.-Financial Institutions, Judiciary, Social and Health Services.

CONNOR, FRANK T.-Labor, Chairman; Local Government, Transportation and Utilities.

DAY, WILLIAM S.-Social and Health Services, Chairman; Agriculture, State Government.

DONOHUE, HUBERT F.-Ways and Means, Vice Chairman; Agriculture, Ecology, Higher Education.

DORE, FRED H.-Financial Institutions, Chairman; Judiciary, Ways and Means.

DURKAN, MARTIN J.-Ways and Means, Chairman; Higher Education, Judiciary.

FLEMING, GEORGE-Local Government, Chairman; Education, Labor, Ways and Means.

FRANCIS, PETE-Judiciary, Chairman; Commerce, Social and Health Services.

GARDNER, BOOTH-Education, Chairman; Constitution and Elections, Local Government, Ways and Means.

GRANT, GARY—Constitution and Elections, Chairman; Labor, Ways and Means.  
 GREIVE, R. R. BOB—Commerce, Chairman; Judiciary, Social and Health Services.  
 GUESS, SAM C.—Ecology, Higher Education, Rules, Transportation and Utilities.  
 HENRY, AL—Transportation and Utilities, Vice Chairman; Rules, State Government.  
 HERR, GORDON—Commerce, Rules, Social and Health Services.  
 JOLLY, DAN—Agriculture, Chairman; Local Government, Ways and Means.  
 JONES, JOHN D.—Financial Institutions, Labor, Parks and Recreation, Social and

Health Services.

KEEFE, JAMES E.—Financial Institutions, Rules, Social and Health Services.

KNOBLAUCH, REUBEN A.—Parks and Recreation, Chairman; State Government, Transportation and Utilities.

LEWIS, HARRY B.—Natural Resources, Rules, State Government, Ways and Means.

LEWIS, R. H. (BOB)—Commerce, Local Government, Transportation and Utilities.

MARDESICH, AUGUST P.—Financial Institutions, Rules, Ways and Means.

MARSH, DAN—Higher Education, Rules, Ways and Means.

MATSON, JIM—Agriculture, Labor, Transportation and Utilities.

METCALF, JACK—Constitution and Elections, Higher Education, Natural Resources, Ways and Means.

MURRAY, JOHN S.—Ecology, Education, Local Government, Social and Health Services.

NEWSCHWANDER, CHARLES E.—Education, Financial Institutions, Ways and Means.

ODEGAARD, GARY M.—Ways and Means, Vice Chairman; Education, Parks and Recreation.

PETERSON, LOWELL—Natural Resources, Chairman; Commerce, Transportation and Utilities.

PETERSON, TED G.—Education, Natural Resources, Ways and Means.

RASMUSSEN, A. L.—State Government, Chairman; Natural Resources, Transportation and Utilities.

RIDDER, ROBERT C.—Local Government, Vice Chairman; Labor, Social and Health Services.

SANDISON, GORDON—Higher Education, Chairman; Natural Resources, Ways and Means.

SCOTT, GEORGE W.—Higher Education, State Government, Ways and Means.

SELLAR, GEORGE L.—Agriculture, Local Government, Transportation and Utilities.

STENDER, JOHN H.—Constitution and Elections, Labor, Rules, Transportation and Utilities.

STORTINI, JOE—Transportation and Utilities, Vice Chairman; Constitution and Elections, Ecology.

TALLEY, DON L.—Local Government, Natural Resources, Rules, Transportation and Utilities.

TWIGG, ROBERT W.—Agriculture, Judiciary, Social and Health Services.

VAN HOLLEBEKE, RAY—Social and Health Services, Vice Chairman; Ecology, Judiciary.

WALGREN, GORDON L.—Transportation and Utilities, Chairman; Financial Institutions, Local Government.

WANAMAKER, F. "PAT"—Commerce, Parks and Recreation, State Government, Transportation and Utilities.

WASHINGTON, NAT W.—Ecology, Chairman; Agriculture, Constitution and Elections, Transportation and Utilities.

WHETZEL, JONATHAN—Commerce, Ecology, Local Government, Transportation and Utilities.

WOODALL, PERRY B.—Judiciary, Rules, Social and Health Services.

WOODY, FRANK—Judiciary, Vice Chairman; Parks and Recreation, Social and Health Services.

#### MOTIONS

On motion of Senator Mardesich, the standing committee appointments as announced were confirmed.



At 2:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, January 10, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRD DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 10, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senator Fleming.

The Color Guard, consisting of Pages Kim Burgess and Joy Keniston, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

“OUR FATHER, WHO HAST SET A RESTLESSNESS IN OUR HEARTS, AND MADE US ALL SEEKERS AFTER THAT WHICH WE CAN NEVER FULLY FIND, FORBID US TO BE SATISFIED WITH WHAT WE MAKE OF LIFE. DRAW US FROM BASE CONTENT, AND SET OUR EYES AND MINDS ON FAR-OFF GOALS. KEEP US AT TASKS TOO HARD FOR US, THAT WE MAY BE DRIVEN TO THEE FOR STRENGTH. DELIVER US FROM FRETFULNESS AND SELF PITY; MAKE US SURE OF THE GOAL WE CANNOT SEE, AND OF THE HIDDEN GOOD IN THE WORLD. OPEN OUR EYES TO SIMPLE BEAUTY ALL AROUND US, AND OUR HEARTS TO THE LOVELINESS MEN HIDE FROM US BECAUSE WE DO NOT TRY ENOUGH TO UNDERSTAND THEM. SAVE US FROM OURSELVES, AND SHOW US A VISION OF A WORLD MADE NEW. MAY THY SPIRIT OF PEACE AND ILLUMINATION SO ENLIGHTEN OUR MINDS THAT ALL LIFE SHALL GLOW WITH NEW MEANING AND NEW PURPOSE; THROUGH JESUS CHRIST, OUR LORD. AMEN.”

### MOTIONS

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:25 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 11:25 a.m.

At 11:25 a.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of administering the oath of office to the constitutional elective officials of the state of Washington and receiving the inaugural address by Governor Daniel J. Evans.

## JOINT SESSION

The Sergeant at Arms of the Senate 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, John A. Cherberg, the President Pro Tempore of the Senate, Al Henry, and the Vice President Pro Tempore of the Senate, James E. Keefe, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

The President of the Senate presided.

The President of the Senate called the Joint Session to order.

The Secretary of the Senate called the roll of the Senate, and all members were present.

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

The President of the Senate appointed the following committee to escort the Chief Justice of the Washington State Supreme Court, Frank Hale, to the rostrum: Senators Francis and Woodall, and Representatives Gaspard and Barden.

The committee retired.

The Sergeant at Arms of the House announced the arrival at the bar of the House of Chief Justice Frank Hale, and the President of the Senate instructed the committee to escort the Chief Justice to a seat on the rostrum.

The President of the Senate appointed the following committee to escort the Justices of the Supreme Court of the state of Washington to the bar of the House: Senators Knoblauch, Peterson (Ted) and Connor; and Representatives O'Brien, Sommers, Amen and Zimmerman.

The committee retired.

The President of the Senate: "At this time, ladies and gentlemen of the legislature, and ladies and gentlemen who are present today, the President should like to request the lovely and charming bride of our Governor, Mrs. Nancy Evans, and her handsome young sons, to please stand in order that the members of the legislature and those present may acknowledge her presence here today." (Applause)

The Sergeant at Arms of the House announced the arrival at the bar of the House of the Justices of the Supreme Court: Justices Robert C. Finley, Robert T. Hunter, Hugh J. Rosellini, Robert F. Utter, Robert F. Brachtenbach, Charles F. Stafford and Charles T. Wright. The President of the Senate instructed the committee to escort the Justices to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort the elected state officials from the reception room to the bar of the House: Senators Bottiger, Dore, Twigg and Clarke; and Representatives Kelley, May, Julin and Hayner.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the following elected state officials at the bar of the House: Secretary of State A. Ludlow Kramer, State Treasurer Robert S. O'Brien, State Auditor Robert V. Graham, Attorney General Slade Gorton, Superintendent of Public Instruction Frank B. Brouillet, Commissioner of Public Lands Bert Cole, and Insurance Commissioner Karl V. Herrmann. The President of the Senate instructed the committee to escort the elected state officials to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort Governor Daniel J. Evans from his chambers to the rostrum: Senators Bailey, Atwood and Mardesich; and Representatives Chatalas, Perry and Swayze.

The committee retired.

The Sergeant at Arms of the House announced the arrival of His Excellency, Governor Daniel J. Evans, at the bar of the House, and the President of the Senate instructed the committee to escort Governor Evans to a seat on the rostrum.

Prayer was offered by the Reverend Paul F. McCann of the United Churches of Olympia:

“ALMIGHTY GOD, WHOSE EARNEST DESIRE FOR ALL YOUR CHILDREN IS THAT THEY BE GOVERNED WITH JUSTICE AND MERCY; WE GIVE YOU THANKS TODAY FOR THE FREE PROCESS OF CHOICE IN OUR LAND, BY WHICH WE PLACE THE MANTLE OF LEADERSHIP ON MEN AND WOMEN; WE THANK YOU FOR RAISING UP AND EQUIPPING PERSONS OF INTEGRITY, SKILL, AND VISION TO BE LEADERS FOR ALL THE PEOPLE; WE ASK YOU TODAY TO GRANT YOUR PERSONAL PRESENCE AND WISE GUIDANCE TO OUR GOVERNOR, DANIEL EVANS. GIVE HIM A GENEROUS PORTION OF STRONG CONVICTION, BLENDED WITH GOOD JUDGMENT, AND WARMED BY A SENSE OF HUMOR. MAY HE BEGIN EACH DAY IN THIS NEW TERM OF OFFICE WITH A RENEWED SENSE OF COMMITMENT TO THE TASK, AND A RENEWED AWARENESS OF YOUR STRENGTHENING PRESENCE, THEN GIVE US *ALL*, OUR FATHER, SUCH AN UNDERSTANDING OF THE RIGHT, AND SUCH AN ABHORRENCE OF THE WRONG, THAT WE WILL WORK HARD TOGETHER TOWARD THE ENDS YOU DESIRE—OF EQUAL OPPORTUNITY AND TRUE LIBERTY FOR ALL THE PEOPLE. FOR YOUR NAME’S SAKE WE PRAY. AMEN.”

The President of the Senate announced that the joint session was called for the purpose of administering the oath of office to the constitutional elective officials of the state of Washington and receiving the inaugural address of the Governor.

The President of the Senate signed the election certificates for the elected state officials.

The Speaker of the House of Representatives signed the election certificates for the elected state officials.

The President of the Senate turned the gavel over to the Speaker of the House.

#### OATH OF OFFICE TO ELECTIVE OFFICIALS

Chief Justice Frank Hale administered the oath of office to John A. Cherberg, Lieutenant Governor, and the Speaker presented him his certificate of election.

The Speaker: “John, it is with a great deal of pleasure I give to you your certificate of election to the office of Lieutenant Governor. May you continue to reign in your splendor.”

President Cherberg: “Thank you very much, Lenny. It is more than a pleasure to take the ‘Fifth’ from you—the fifth term, that is.

“Honored members of the Legislature, Governor Evans, Chief Justice Hale, and ladies and gentlemen: I especially wish to thank Judge Hale for doing me the honor of administering the oath of office. The Chief Justice and I were classmates and teammates at the University of Washington a few years ago. And I am driven to remark that the hell that Frank caught at the Battle of the Bulge was nothing to what he got on the mudflats adjacent to Lake Washington back in the early 30’s, and it’s more than a pleasure to be with Frank today. I am very grateful to the people of this state for the honor and privilege of serving them once again, and I promise that I will try to do my best. I am especially appreciative that most of my family is present, including my brothers and sisters. I want to thank Betty for her wonderful patience and understanding. Won’t you please stand?” (Applause)

The Speaker of the House turned the gavel over to the President of the Senate.

The elected officials were escorted to the rostrum by the Sergeants at Arms of the Senate and House to take their oaths of office in the following order:

Justice Robert C. Finley administered the oath of office to Secretary of State A. Ludlow Kramer, and the President presented him his certificate of election.

Justice Robert T. Hunter administered the oath of office to State Treasurer Robert S. O’Brien, and the President presented him his certificate of election.

Justice Hunter: "Bob, it was my privilege to administer this oath of office to you eight years ago as a former neighbor, former fellow townsman, and a former fellow public official of Grant County. I am glad to be able to do it again. Congratulations." (Applause)

Justice Hugh J. Rosellini administered the oath of office to State Auditor Robert V. Graham, and the President presented him his certificate of election.

Justice Robert F. Utter administered the oath of office to Attorney General Slade Gorton, and the President presented him his certificate of election.

Justice Robert F. Brachtenbach administered the oath of office to Superintendent of Public Instruction Frank B. Brouillet, and the President presented him his certificate of election.

Justice Brachtenbach: "I trust that applause was for both of the former House members, and not just Mr. Brouillet." (Applause)

President Cherberg: "It is quite evident that the Judge and the new Superintendent are former House boys."

Justice Charles F. Stafford administered the oath of office to Commissioner of Public Lands Bert Cole, and the President presented him his certificate of election.

Justice Charles T. Wright administered the oath of office to Insurance Commissioner Karl V. Herrmann, and the President presented him his certificate of election.

President Cherberg: "Honored members of the Senate, honored members of the House, esteemed ladies and gentlemen in the audience, Governor Evans, members of the Supreme Court, and the state elected officials: It seems as if the President has known Governor Daniel J. Evans almost longer than many members of his family. Back in 1937 it was my privilege to teach and coach two of the Governor's cousins at Cleveland High School, Bill Evans and Dick Evans. They were certainly fine young men then, and they are even better now, Governor. Ladies and gentlemen, it is my high honor and deep privilege to present to you and the people of the broadcast audience throughout the state, His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington, to deliver his inaugural address.

"Oh, wait a minute--the Governor was not sworn in. (The Governor is always bringing up those petty details.) Frank, you are on tap--it's your job now--we are going to inaugurate the Governor."

#### OATH OF OFFICE TO GOVERNOR

Chief Justice Frank Hale administered the oath of office to Governor Daniel J. Evans, and the President presented him his certificate of election.

The President: "Well, the rehearsal was O.K. If I have any friends among the television stations represented here, they can at least cut that tape and put it in proper order. Now ladies and gentlemen, I repeat, it is my high honor and deep privilege to present to you and to the ladies and gentlemen of the television-viewing audience, His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington, for the purpose of delivering his inaugural address. Governor Evans."

#### INAUGURAL ADDRESS

The Governor: "Mr. President, Mr. Speaker, distinguished justices of the court, members of the legislature, and my fellow Washingtonians:

"Mr. President, I suspect it is the first time in the annals of the legislature and inaugural proceedings that we have had an instant replay. We have worked very closely together during the past eight years, and I have never detected until just a few moments ago, a lack of partnership. I thought for a moment you were going to cast me aside and step into the spot yourself.

"A personal note before I begin my formal remarks. I fully realize the uniqueness of this occasion, and recognize that it really only came about because of thousands of involved citizens throughout this state, a dedicated staff and administration who have worked with me well and hard during these past eight years. And most of all, seated in the south gallery, my family--my wife Nancy, our three sons Danny, Mark and Bruce, my mother and father, my mother-in-law, and my brother Roger and his wife Cami. I'd like all of them to stand, because I wouldn't be standing here if it weren't for them. (Applause)

"I bring to you today a message of hope, of great opportunity, and of even greater responsibility.

"Twice in the past, I have stood before this assembly to take the oath of office and to begin a new administration of government. In 1965, we began on the threshold of unprecedented growth and prosperity, secure in the belief that so long as men could control the progress of events, the future outcome was not seriously in doubt.

"In 1969, we began from a new vantage point, confronted with the inevitability of economic depression, dismayed by a declining faith in government at all levels, and deeply concerned over the ability of any administration to deliver demanded services with the taxes people were prepared to pay.

"In those eight arduous years we have seen both the best of times and the worst of times, and if we have not emerged unscathed, then at least we have been tested and tempered by a severe and demanding decade of trial.

"We have learned that prosperity can harbor false promise and we have learned that the lessons of adversity are brutal but they are not insurmountable. But most of all, I think we have learned, each one of us, of the compassion and generosity of our people under trial.

### A NEW THRESHOLD OF OPPORTUNITY

"We stand now in this year 1973 on the threshold of new opportunity for our people—a new opportunity to make Washington an international market place and the focus of renewed American interest in those lands touched by the Pacific Ocean. We possess not only the wealth of resources and products but the heritage of many Washington citizens of foreign origin who give us a rare insight into this unique and promising future. Here at home we are entering into a new era of regional cooperation with Oregon and Idaho and with our neighboring Province of British Columbia. And the Premier of that Province will come to Olympia to talk to legislative and administration leaders just next week. We can now begin to speak out with one voice for the New West of this Nation—A West of opportunity still as boundless as Horace Greeley envisioned so many years ago when he said, 'Go West, young man.' Not a second California suffocated by the excesses of growth, but a specific region of special concern for nature and for man. We know that our natural environment is a precious asset and a priceless legacy. We know that the quality of our lives is at least equal in importance to the quantity of goods we enjoy. Yet now more clearly than ever we know that growth and conservation must not be mutually exclusive—that our natural environment and our total environment must be pursued as one.

### A SHOWCASE OF HUMAN PROGRESS

"We still hold that rare opportunity, then, to make Washington a showcase of human progress. But our new prosperity must not succumb to greed or selfishness or self-satisfaction. Our mandate—the mandate of this Legislature and Administration—so long as hunger and poverty still exist; so long as medical catastrophe can destroy life's savings; so long as we provide inadequate care for those with special needs; so long as the forgotten aged are cast aside; so long as true brotherhood is an elusive myth—so long as these exist, we have work to do.

"Our unfinished agenda is a long and difficult one. During the course of the next several days, I will set forth the details of this administration's program. My purpose today, however, is to deal with the longer term and to outline what I believe to be the six most compelling challenges before us.

### THE CHALLENGE OF MANAGING GROWTH

"The first of these is the management of growth. There is no question that Washington will continue to grow. As prosperity returns, more diversified than ever before, we will reach new job records in 1973. The rate of population growth may diminish—it may even approach that hypothetical balance between the birth and death rate—but growth itself will continue. If it does not continue in terms of quantity then most assuredly it will, and must,

continue in terms of quality, as we seek to improve the human condition and the wider sharing of wealth. For the first time, through the passage of the many Washington Futures bond issues, we have that commanding position over growth—the ability to use and invest for the common good, more than one and one-half billion dollars in the improvement of our communities. The passage of these issues does more than simply make money available, however. It allows government and the people to take the initiative, to act in their own behalf instead of reacting to needs long past the threshold of urgency. It is the chance of a lifetime. It is a mandate of incredible magnitude. We, all of us, cannot afford to squander that mandate.

“I will propose in my budget message that we first, in carrying out the Washington Futures issues, plan wisely so that the dollars are invested efficiently, that the priorities are sound and maximum benefits are received. To spend without planning is to act without thinking and I am confident that what the people really want is not a windfall, but a way to their own future.

“But the management of growth has another side—the establishment of state policies which guide development of an overall plan for the future we all so earnestly covet. This year we took the first important step by enacting into law the Shorelines Management Act—legislation which will be viewed by later generations as an act of great wisdom, just as it is viewed by many today as an act of great controversy. Shortly we will receive from the Washington State Land Planning Commission its initial report. I do not expect that report to be received with loud and universal enthusiasm, but I do expect it to become the basis for an eventual land management policy for the State of Washington and its people. In the same manner, this administration will propose the formation of a state energy policy, a reasoned and rational policy designed to guide the state in ‘bridging the gap’ between our fuel supplies and energy needs over the remainder of this century. In developing an energy policy, no less than in shorelines management or land utilization itself, we come to grips with the fact that the utilization of our basic resources simply cannot be an ‘either-or’ proposition. We have an obligation to the natural environment and to our magnificent natural heritage—but we have an equal obligation to the individual’s total health and welfare in a complex and highly urbanized society. There is no glory but only failure in the supremacy of one over the other; but there is a potential triumph in finding the common path, where both can progress and all, therefore, can benefit. That is the real challenge of managing growth—not compromise for its own sake, but common sense for the sake of human progress.

#### CHALLENGE OF MANAGING GOVERNMENT

“The second challenge is the management of government itself. I shall ask for a continuation of departmental reorganization to bring greater efficiency and responsiveness of state government to its citizens. Most urgently needed and long overdue is a Department of Transportation to give integrated direction to this most fundamental of modern needs.

“An Office of Community Development will be initiated to give a focal point for local government input to state agencies.

“I will shortly appoint a citizen Task Force on Governmental Efficiency, which I believe can equal the splendid performance of a similar body appointed eight years ago. The pursuit of governmental efficiency should be a continuing one and a task force of this nature should report regularly to the Legislature and to the Governor.

“Governmental management is of little value unless the laws under which we operate are responsive to today’s needs. Proposals will be presented to modernize some of these laws—some of which have been untouched for almost a century—laws to modernize civil and criminal commitment, consumer protection, tenant-landlord relationships, and to provide new systems of medical examiners and environmental coordination.

“It is not enough to manage the policies of government effectively if the machinery of government itself is unresponsive—if we are shackled by too much government, at the wrong place and at the wrong time. State government gives birth to all local government, and in our eighty-three-year history as a state, we have created forty-one separate types of special local districts and over fifteen hundred sometimes conflicting and overlapping local governmental units. We are, in the name of local control, in clear and present danger of

becoming so fractionated that no matter which way we proceed, the people cannot get their full dollar value from their taxes.

"We must join together in our relationship with the Federal Government to continue the struggle for the new federalism proposed by the President but not yet a reality. Federal revenue sharing is a welcome first step, but the pending special revenue sharing proposals are of even greater urgency. Without them, the tightening bonds of more than six hundred categorical grant programs strangle our independence and distort the priorities of this state.

"The final governmental management relationship is that between two great and independent branches of government, the executive and legislative. I believe strongly that we should strengthen each in its ability to do its task, but not one at the expense of the other. To this end, I will once again propose annual sessions of the Legislature and annual elections to relieve the massive ballots of recent years. The growing complexity of government has sharply increased legislative responsibilities and I shall propose in my Budget Message tomorrow a doubling of legislative salaries to match these new responsibilities.

### THE CHALLENGE OF CITIZEN PARTICIPATION

"The third great challenge is in government's relationships with its citizens.

"In the past several years we have made strides envied by other states in bringing governmental services back to the community. Today hundreds of the handicapped, mentally retarded, and the mentally ill find treatment and assistance in their home communities. In the next four years, we must exchange the isolated and impersonal institutions of yesterday for the community facilities of today and tomorrow. Here—at the local level—the potent combination of dedicated volunteers, local professional expertise and state financial assistance can combine to provide fuller, richer lives for all of these less fortunate citizens.

"I recognize very well, as you do, the personal and economic trauma of institutional closure, especially when it occurs in a small community, and I shall propose by executive request a comprehensive measure which can markedly ease this difficult transition and protect both the community and those dedicated people who have served an institution for years.

"This community concept will work only if we tap the enormous reservoir of thousands of potential citizen volunteers. The widening gap between people's expectation for service and their willingness to provide tax resources to support those services can best be bridged by an infusion of citizen volunteer support. Today, twenty-nine thousand volunteers are working as student tutors, foster grandparents, counselors in our correctional institutions, and in a myriad of other vital tasks. Our goal during the next four years is to mobilize one hundred thousand Washington citizens into an army of concerned, dedicated, and able volunteers who can make the community concept a reality.

"I have long been convinced that the youth of our state would respond, overwhelmingly, to a call for service in community action. In the next several weeks, an announcement will be made which will join the federal government, our state government and a number of local communities together to test that belief and to provide opportunity for young citizens to voluntarily serve their community in peace, rather than today's mandated draft for war. To further the growth of this community concept, we will propose an adult probation subsidy program and a similar assistance program in mental health to match the spectacularly successful juvenile probation subsidy program of recent years.

"I shall also seek a comprehensive compensation bill for the victims of crime and the ratification of the Equal Rights Amendment to our Federal Constitution guaranteeing women equal status in our society.

### THE CHALLENGE OF TAX REFORM

"Tax reform, as a challenge, is not new, but the need for action is immediate. Our recovering economy will allow for a balanced budget this next biennium, but will not allow resolution of the mushrooming problem of special levy support for basic education. The

people of this state deserve and our school children require a guaranteed continuing source of basic educational finance, and it is time now for us to act.

"I shall propose no specific bill, but let there be no mistake, I intend to exert every effort and search every avenue toward passage of a comprehensive tax reform measure. This is no time for half-hearted attempts or half-way measures. A full and complete proposal embodying at least these fundamental elements should be presented for a vote by our people:

"A prohibition against special property tax levies for the maintenance and operation of basic education;

"Substantial reduction in property tax burdens on our citizens, and better protection against future increase;

"A constitutional limitation on all major taxes;

"An income tax with initial revenue sufficient to replace, but not exceed, reductions made in other taxes.

"In addition to the comprehensive tax reform proposal, I believe it important to adopt two additional protections in the property tax field. Our present open space act should be amended to make it a meaningful tool for those who earn their living from the land. By streamlining the application procedures and allowing land to be assessed on its earning capacity, no good farmer need be driven from his land by excessive taxation.

"Those who suffer most under our present property tax structure are the elderly, the poor, those living on fixed incomes. I will recommend to this Legislature that a constitutional amendment be prepared which would limit property taxes on a person's home to no more than five percent of his income. These changes, collectively, can give to Washington citizens a new hope for equity, protection and, perhaps most of all, for decision-making in our tax system.

#### THE CHALLENGE OF INNOVATION

"In the challenge of innovation lies the future, not only of our free enterprise system, but of government itself. Here in this state we have many opportunities to explore new ground in making government more responsive to the people.

"I will shortly appoint a special commission to examine the potential of insurance against catastrophic illness. I am aware that this is a national issue and under consideration by the present Congress, but Washington citizens need not wait for a Congress which may not act.

"While we traditionally have provided comprehensive educational opportunity for all children, we have not given equal attention to early childhood development. Prenatal and early childhood care is virtually unavailable to many of our people. No child should be cheated—at the beginning—of an opportunity for a full and successful life. And shortly, proposals will be made in this field too, which can guarantee our interest and concern for these youngsters—the adults of tomorrow.

"As our birthrate drops and resulting common school enrollments diminish, the opportunity grows for new concepts in education and in the utilization of schools as community centers:

"—Community centers in which we could provide not only basic education, but also child care;

"—Community centers which could provide meals and limited health care for the aged and utilize their great talents in child care assistance;

"—School buildings made available to the community at night and on weekends for a variety of productive and creative uses.

"In all of this we should recognize that innovation is not limited by the age of the innovator. Our rapidly growing population of retired citizens must bring recognition of their special abilities. This huge reservoir of talent and years of experience is being virtually ignored and it is well past time that we brought our senior citizens back into the mainstream of state service.

"There is indeed no limit to what can be accomplished by the young and the old, as well as the rest of us, if only we will take the time to innovate, to think in new dimensions and act in new directions. If the government is ever to be dynamic and responsive to the



needs of the people, and respected by the citizens it serves—if it is to serve the people well—then innovation must become the constant companion of progress and the open door to citizen participation.

### THE CHALLENGE OF QUALITY IN LIFE

“The sixth and final challenge is the quality of our life itself. In the larger sense, all that we have done and all that we propose to do is aimed at the quality of life which our citizens enjoy, or failing that, deserve.

“Quality is more than compassion, more than economic opportunity, more than social justice. It is all of these, bound up in the single proposition that we here in this state, at this time, we—of all people—have the resources and the ability to do so much for the best and least among us, for the now and tomorrows which confront us, and for the hope and opportunity which belong—as never before—to every one of us.

“We have learned our lessons over the past eight years. Now let us use them. Let us hope that never again will economic opportunity simply be taken for granted.

“Let us hope that social justice, for the victim as well as the violator, becomes more than mere lip service—that it becomes a true and conscious reality of our lives and our laws.

“Let us hope that the compassion we found in a time of economic misfortune does not disappear in a time of progress, but remains as a continuing principle of our mutual regard and concern.

“It should not be our purpose here to deal only in the small and immediate issues. It should rather be to pursue the goal of greatness with vigilance, and to seek for every citizen that eloquent promise of a decent life, the full measure of liberty and a real and human happiness.

“I believe that the people of Washington are now ready to meet these challenges. In the last eight years, they have seen prosperity and learned how fickle it can be. They have seen depression and deprivation and they have shouldered that burden with rare courage.

### THE MANDATE OF THE PEOPLE

“In November just past, facing a long and complicated ballot—only months removed from serious economic difficulty and still with the signs ever present—they expressed themselves decisively in favor of Washington Futures and the resumption of progress.

“They have said this: ‘You asked for a new mandate for progress and we have given it to you.

“‘You asked for the opportunity to invest wisely in the future of Washington—in our future and the future of our children—and we have given *that* to you.

“‘You asked for money and authority at a time when money is dear and governmental authority is greatly suspect—and we have given *that to you, too.*’

“Now, we ask of you in return—we ask of this Administration and this Legislature—

“To do *not* what is easy, but what is right;

“To exercise our mandate to you with skill and honest dedication;

“To take the political risks that are necessary;

“To make the decisions that recent history has made clear and that present circumstances demand—and in so doing give us our state and our future in good hands and good conscience.

“This, I believe, is our challenge above all—to deliver to the people their state in good hands and good conscience.

“We share this test equally. There is no guarantee of success, no insurance against failure. But I believe that this Administration and this Legislature are bound more surely in common cause than they are separated by political difference and that we can, with patience and help and conviction, do what needs to be done.

“I would rather cross the political aisle than cross the people—and let that be our common pledge.

“Let us share together these tasks of leadership so all may share together the benefits, the opportunity, and the blessings of success.

“Thank you.”

The President of the Senate directed the special committee to escort His Excellency, Governor Daniel J. Evans to the State Reception Room.

The special committee thereupon escorted the Governor from the House Chamber.

The President of the Senate directed the special committee to escort the state elected officials to the State Reception Room.

The special committee thereupon escorted the elected state officials from the House Chamber.

The President of the Senate directed the special committee to escort Chief Justice Frank Hale to the State Reception Room.

The special committee thereupon escorted Chief Justice Frank Hale from the House Chamber.

The President of the Senate directed the special committee to escort the Justices of the Supreme Court to the State Reception Room.

The special committee thereupon escorted the Justices of the Supreme Court from the House Chamber.

The President of the Senate: "Honored members of the Legislature, ladies and gentlemen: At this time I should like to announce a reception will be held in the State Reception Room immediately following the adjournment of the Joint Session.

"The time has arrived for the President to return the gavel to you, Mr. Speaker, but before doing so, I wish to thank you and the members of the House for your traditional warm and friendly hospitality and to compliment you and the members on the efficiency of your Clerk, the Honorable Dean Foster, your Sergeant at Arms, the Honorable Ray Olsen, and the members of your staff on their accuracy and their efficiency, and on the preparation of the formalities today, which the President in his own inimitable style managed to bungle up."

The President of the Senate turned the gavel over to the Speaker of the House.

#### MOTION

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tempore Henry, and Vice President Pro Tempore Keefe, and the members of the Senate to the Senate Chamber.

#### AFTERNOON SESSION

The President called the Senate to order at 12:55 p.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2013, by Senator Washington:

An Act relating to motor vehicles; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.20 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2027, by Senator Washington, Grant, Ridder and Metcalf:

An Act relating to the legislature; amending section 1, chapter 20, Laws of 1891 and RCW 44.04.010; and creating a new section.

Referred to Committee on Constitution and Elections.

There being no objection, additional sponsors were permitted on Senate Bill No. 2027.

SENATE BILL NO. 2056, by Senators Woodall, Stender and Bottiger (by Legislative Council request):

An Act relating to vehicles for hire; amending section 46.72.040, chapter 12, Laws of 1961 as amended by section 82, chapter 32, Laws of 1967 and RCW 46.72.040; and amending section 46.72.050, chapter 12, Laws of 1961 as amended by section 83, chapter 32, Laws of 1967 and RCW 46.72.050.

Referred to Committee on Commerce.

SENATE BILL NO. 2057, by Senators Bottiger, Woodall and Dore (by Legislative Council request):

An Act relating to eminent domain for highway purposes; and adding a new section to chapter 8.28 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2058, by Senators Bottiger, Henry and Woodall (by Legislative Council request):

An Act relating to motor vehicles law enforcement; amending section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.015; and amending section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030.

Referred to Judiciary Committee.

SENATE BILL NO. 2059, by Senators Day, Woodall and Bottiger (by Legislative Council request):

An Act relating to hearing aids; providing for the licensing of persons who fit and dispense hearing aids; creating a new chapter in Title 18 RCW; and providing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2060, by Senators Greive, Woodall and Bottiger (by Legislative Council request):

An Act relating to revenue in courts of limited jurisdiction; amending section 99, chapter 299, Laws of 1961 as amended by section 7, chapter 73, Laws of 1971 and RCW 3.54.020; amending section 108, chapter 299, Laws of 1961 and RCW 3.62.040; amending section 59, chapter 299, Laws of 1961 and RCW 3.50.100; and amending section 46, chapter 299, Laws of 1961 and RCW 3.46.120.

Referred to Committee on Local Government.

SENATE BILL NO. 2061, by Senators Gardner, Bottiger and Woodall (by Legislative Council request):

An Act relating to domestic relations; and adding a new section to chapter 26.08 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2062, by Senator Rasmussen:

An Act relating to the compensation of victims of crimes; enacting a crime victims compensation act; and adding a new chapter to Title 7 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2063, by Senators Woodall, Bottiger and Francis (by Legislative Council request):

An Act relating to crimes; enacting the Washington Criminal Code; creating new sections; repealing certain acts and parts of acts; prescribing penalties; prescribing effective dates; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2064, by Senators Peterson (Ted), Marsh and Peterson (Lowell):

An Act relating to the Columbia River Compact; and adding new sections to chapter 75.40 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2065, by Senators Gardner, Atwood, Francis, Metcalf, Grant, Odegard and Ridder (by Joint Committee on Education and Superintendent of Public Instruction request):

An Act relating to revenue and taxation; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 26, chapter 288, Laws of 1971 ex. sess. and RCW 84.52.052; and declaring an emergency.

Referred to Committee on Constitution and Elections.

There being no objection, additional sponsors were permitted on Senate Bill No. 2065.

SENATE BILL NO. 2066, by Senators Durkan, Newschwander, Gardner, Marsh and Canfield (by Legislative Budget Committee request):

An Act relating to public employment; modifying insurance programs for state employees and expanding the membership and jurisdiction of the state employees insurance board; amending section 2, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.020; amending section 3, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.030; amending section 5, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.050; amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 269, Laws of 1971 ex. sess. and RCW 28B.10.660; amending section 5, chapter 59, Laws of 1969 as amended by section 11, chapter 39, Laws of 1970 ex. sess. and RCW 41.04.230; amending section 1, chapter 75, Laws of 1963 as last amended by section 10, chapter 39, Laws of 1970 ex. sess. and RCW 41.04.180; amending section 8, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.080; repealing section 9, chapter 39, Laws of 1970 ex. sess. and RCW 41.06.370; and declaring an emergency.

Referred to Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 2066.

SENATE BILL NO. 2067, by Senators Rasmussen, Odegaard, Gardner, Durkan, Wanamaker, Lewis (Harry) and Knoblauch:

An Act relating to mobile homes; creating a new section; amending section 46.08.090, chapter 12, Laws of 1961 ex. sess. as last amended by section 8, chapter 231, Laws of 1971 ex. sess. and RCW 46.01.130; amending section 1, chapter . . . (HB . . .), Laws of 1973 and RCW 46.01.140; amending section 2, chapter . . . (HB . . .), Laws of 1973 and RCW 46.68.030; repealing section 12, chapter 231, Laws of 1971 ex. sess. and RCW 46.01.300; repealing section 15, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.510; repealing section 16, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.520; repealing section 17, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.530; repealing section 18, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.540; repealing section 19, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.550 and declaring an emergency.

Referred to Committee on Transportation and Utilities.

#### MOTION

On motion of Senator Rasmussen, additional sponsors were permitted on Senate Bill No. 2067.

SENATE BILL NO. 2068, by Senator Rasmussen:

An Act relating to legislative jurisdiction; and adding a new chapter to Title 37 RCW. Referred to Committee on State Government.

SENATE BILL NO. 2069, by Senators Marsh, Francis, Woodall and Woody:

An Act relating to the income of justice courts; authorizing the payment of court appointed defense counsel from justice court suspense funds; amending section 109, chapter 299, Laws of 1961 as last amended by section 3, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.050; and declaring an emergency.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 2069.

SENATE BILL NO. 2070, by Senators Rasmussen and Peterson (Ted):

An Act relating to revenue and taxation; granting a sales tax exemption to certain disabled veterans; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2071, by Senators Marsh, Talley and Herr:

An Act relating to justices of the peace; and amending section 11, chapter 299, Laws

of 1961 as last amended by section 2, chapter 23, Laws of 1970 ex. sess. and RCW 3.34.020.

Referred to Judiciary Committee.

SENATE BILL NO. 2072, by Senators Bottiger, Walgren and Talley:

An Act relating to police benefits in first class cities; and amending section 11, chapter 39, Laws of 1909 as amended by section 5, chapter 18, Laws of 1911 and RCW 41.20.030.

Referred to Committee on Local Government.

#### MOTION

On motion of Senator Bottiger, the names of Senators Walgren and Talley were added as sponsors to Senate Bill No. 2072.

SENATE BILL NO. 2073, by Senator Atwood:

An Act relating to off-street parking facilities; and amending section 16, chapter 204, Laws of 1969 ex. sess. (uncodified).

Referred to Judiciary Committee.

SENATE BILL NO. 2074, by Senators Ridder, Henry and Lewis (Harry):

An Act relating to fire protection districts; amending section 22, chapter 34, Laws of 1939 as last amended by section 2, chapter 242, Laws of 1971 ex. sess. and RCW 52.12.010.

Referred to Committee on Local Government.

SENATE BILL NO. 2075, by Senators Wanamaker, Washington and Guess (by Legislative Transportation Committee request):

An Act relating to railroad grade crossings; and amending section 2, chapter 134, Laws of 1969 and RCW 81.53.271.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2076, by Senators Ridder, Metcalf and Odegaard:

An Act relating to employees of school districts; and amending section 3, chapter 10, Laws of 1972 ex. sess. and RCW 28A.58.100.

Referred to Committee on Education.

SENATE JOINT RESOLUTION NO. 105, by Senators Washington, Grant, Ridder, Metcalf and Whetzel:

Amending the Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days.

Referred to Committee on Constitution and Elections.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 105.

SENATE JOINT RESOLUTION NO. 107, by Senators Woodall, Twigg and Bottiger (by Legislative Council request):

Amending the Constitution to allow pro tem appointments to the court of appeals.

Referred to Judiciary Committee.

#### MOTION

At 1:05 p.m., on motion of Senator Bailey, the Senate adjourned until 11:00 p.m., Thursday, January 11, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FOURTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 11, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Francis, Scott and Woodall. On motion of Senator Bailey, Senator Francis was excused. On motion of Senator Newschwander, Senators Scott and Woodall were excused.

The Color Guard, consisting of Pages Mark Armstrong and Marcella Donovan, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

“WITH WHAT SHALL I COME BEFORE THE LORD, AND BOW MYSELF BEFORE GOD ON HIGH? HE HAS SHOWED YOU, O MAN, WHAT IS GOOD: AND WHAT DOES THE LORD REQUIRE OF YOU BUT TO DO JUSTICE, AND TO LOVE KINDNESS, AND TO WALK HUMBLY WITH YOUR GOD?”

“ALMIGHTY GOD, OUR HEAVENLY FATHER, LOOK MERCIFULLY, WE PRAY, UPON THE MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON. GRANT TO THEM INTEGRITY OF PURPOSE, AND UNFAILING DEVOTION TO THE CAUSE OF JUSTICE AND RIGHTEOUSNESS. IN THE MIDST OF CONTROVERSY AND DIFFERENCE OF OPINION, MAY THEY SEEK YOUR GUIDANCE THAT ALL THEIR LEGISLATION MAY BE SUCH AS WILL PROMOTE THE WELFARE OF THE PEOPLE OF THIS STATE: RAISING UP THE POOR, STRENGTHENING AND RELIEVING THE OPPRESSED, PUTTING DOWN ALL SOCIAL EVILS, FAIRLY DISTRIBUTING THE RESPONSIBILITY FOR TAXATION, AND MAINTAINING THE WHOLESOME USE OF THE NATURAL RESOURCES OF THIS LAND. IN THEIR HEARTS MAY THEY KNOW YOUR PEACE, WHICH PASSES ALL HUMAN UNDERSTANDING, AND WHICH IS YOUR GIFT TO THOSE WHO SEEK TO WALK HUMBLY WITH YOU. LORD, HEAR OUR PRAYER, AND LET OUR CRY COME UNTO YOUR THRONE, FOR WE PRAY IN THE NAME OF JESUS CHRIST WHO TAUGHT US THAT LOVE IS BETTER THAN HATE; HOPE IS BETTER THAN FEAR; TRUST IS BETTER THAN SUSPICION AND UNSELFISHNESS IS BETTER THAN SELF-SEEKING. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORT OF STANDING COMMITTEE

January 10, 1973.

SENATE BILL NO. 2021, an act relating to elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

January 10, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 3, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

January 10, 1973.

Mr. President: The House has passed HOUSE BILL NO. 55, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2077, by Senators Woodall, Guess and Jolly:

An Act relating to crimes and punishments; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919 and RCW 9.48.030; amending section 13, page 78, Laws of 1854 as last amended by section 141, chapter 249, Laws of 1909 and RCW 9.48.040; amending section 14, page 78, Laws of 1854 as last amended by section 142, chapter 249, Laws of 1909 and RCW 9.48.050; adding a new section to chapter 249, Laws of 1909 and chapter 9.48 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2078, by Senators Durkan, Atwood, Newschwander and Gardner (by Legislative Budget Committee request):

An Act relating to public records and their retention, protection, disposal or reproduction; amending section 1, chapter 241, Laws of 1963 and RCW 40.10.010; amending section 2, chapter 241, Laws of 1963 and RCW 40.10.020; amending section 4, chapter 246, Laws of 1957 and RCW 40.14.040; amending section 6, chapter 246, Laws of 1957 and RCW 40.14.060; and amending section 7, chapter 246, Laws of 1957 as amended by section 1, chapter 10, Laws of 1971 ex. sess. and RCW 40.14.070.

Referred to Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 2078.

SENATE BILL NO. 2079, by Senators Durkan, Atwood, Dore, Newschwander and Gardner (by Legislative Budget Committee request):

An Act relating to the state printing and duplicating committee; and amending sections 43.77.020 and 43.77.030, chapter 8, Laws of 1965 and RCW 43.77.020 and 43.77.030.

Referred to Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 2079.

SENATE BILL NO. 2080, by Senators Woody, Atwood, Clarke and Bottiger:

An Act relating to fees of clerks of the superior courts; and amending section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter . . . (HB . . .), Laws of 1973 and RCW 36.18.020.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 2080.

SENATE BILL NO. 2081, by Senators Whetzel, Bottiger and Woody:

An Act relating to the uniform management of institutional funds; adding a new chapter to Title 24 RCW; and prescribing an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2082, by Senators Woody, Francis and Clarke:

An Act relating to the judicial council; and amending section 1, chapter 45, Laws of 1925 ex. sess. as last amended by section 1, chapter 40, Laws of 1971 and RCW 2.52.010. Referred to Judiciary Committee.

SENATE BILL NO. 2083, by Senators Peterson (Lowell), Durkan, Peterson (Ted) and Lewis (Harry) (by Interim Committee on Fisheries, Game and Game Fish request):

An Act relating to state government; amending section 77.12.170, chapter 36, Laws of 1955 as amended by section 33, chapter 199, Laws of 1969 ex. sess. and RCW 77.12.170; adding new sections to chapter 46.16 RCW; adding a new section to chapter 36, Laws of 1955 and to chapter 77.12 RCW; repealing section 4, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.355; making an appropriation; and declaring an effective date.

Referred to Committee on Natural Resources.

There being no objection, additional sponsors were permitted on Senate Bill No. 2083.

SENATE BILL NO. 2084, by Senators Henry, Francis and Twigg:

An Act relating to the retirement of judges; and amending section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012.

Referred to Judiciary Committee.

SENATE BILL NO. 2085, by Senators Washington, Guess and Henry:

An Act relating to motor vehicles and their operation upon highways; amending section 86, chapter 155, Laws of 1965 ex. sess. and RCW 46.04.071; amending section 46.04.080, chapter 12, Laws of 1961 and RCW 46.04.080; amending section 46.04.090, chapter 12, Laws of 1961 and RCW 46.04.090; amending section 46.04.100, chapter 12, Laws of 1961 and RCW 46.04.100; amending section 46.04.220, chapter 12, Laws of 1961 and RCW 46.04.220; amending section 46.04.350, chapter 12, Laws of 1961 and RCW 46.04.350; amending section 46.04.370, chapter 12, Laws of 1961 as amended by section 1, chapter 32, Laws of 1967 and RCW 46.04.370; amending section 46.04.650, chapter 12, Laws of 1961 and RCW 46.04.650; amending section 46.52.020, chapter 12, Laws of 1961 as amended by section 53, chapter 32, Laws of 1967 and RCW 46.52.020; amending section 46.52.080, chapter 12, Laws of 1961 as last amended by section 58, chapter 32, Laws of 1967 and RCW 46.52.080; amending section 1, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.005; amending section 3, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.015; amending section 7, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.050; amending section 8, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.055; amending section 9, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.060; amending section 10, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.065; amending section 16, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.105; amending section 18, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.115; amending section 22, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.135; amending section 27, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.160; amending section 28, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.180; amending section 30, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.190; amending section 40, chapter 155, Laws of 1965 ex. sess. as amended by section 61, chapter 281, Laws of 1969 ex. sess. and RCW 46.61.290; amending section 41, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.295; amending section 43, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.305; amending section 48, chapter 155, Laws of 1965 ex. sess. as amended by section 7, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.350; amending section 49, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.355; amending section 46.48.046, chapter 12, Laws of 1961 and RCW 46.61.435; amending section 46.48.023, chapter 12, Laws of 1961 as amended by section 5, chapter 16, Laws of 1963 and RCW 46.61.440; amending section 3, chapter 1, Laws of 1969 and RCW 46.61.506; amending section 61, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.510; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515; amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 5, chapter 49, Laws of 1970 ex. sess. and RCW 46.61.520; amending section 66, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.570; amending section 67, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.575; amending section 70,



chapter 155, Laws of 1965 ex. sess. as amended by section 5, chapter 232, Laws of 1967 and RCW 46.61.610; amending section 75, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.635; amending section 85, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.780; adding new sections to chapter 12, Laws of 1961 and to chapter 46.04 RCW; adding a new section to chapter 12, Laws of 1961 and to chapter 46.52 RCW; adding new sections to chapter 12, Laws of 1961 and to chapter 46.61 RCW; repealing section 46.04.230, chapter 12, Laws of 1961 and RCW 46.04.230; repealing section 46.04.250, chapter 12, Laws of 1961 and RCW 46.04.250; repealing section 46.04.490, chapter 12, Laws of 1961 and RCW 46.04.490; repealing section 46.52.090, chapter 12, Laws of 1961, section 59, chapter 32, Laws of 1967 and RCW 46.52.090; and repealing section 56, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.420.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2086, by Senators Talley, Odegaard and Peterson (Lowell):

An Act relating to weed control; adding a new section to chapter 77.12 RCW; and making an appropriation.

Referred to Committee on Agriculture.

SENATE BILL NO. 2088, by Senators Francis, Peterson (Ted) and Herr:

An Act relating to business and professions; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 8, chapter 215, Laws of 1937 and RCW 18.18.020; amending section 1, chapter 215, Laws of 1937 as amended by section 2, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.030; amending section 18, chapter 215, Laws of 1937 and RCW 18.18.040; amending section 2, chapter 180, Laws of 1951 as last amended by section 3, chapter 324, Laws of 1959 and RCW 18.18.050; amending section 2, chapter 324, Laws of 1959 as amended by section 3, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.065; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 7, chapter 215, Laws of 1937 as amended by section 7, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.100; amending section 4, chapter 313, Laws of 1955 as amended by section 9, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.110; amending section 8, chapter 180, Laws of 1951 as last amended by section 12, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.190; amending section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140; amending section 15, chapter 215, Laws of 1937 as amended by section 8, chapter 324, Laws of 1959 and RCW 18.18.220; amending section 11, chapter 52, Laws of 1957 as last amended by section 17, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.260; and amending section 12, chapter 52, Laws of 1957 and RCW 18.18.270; and adding a new section to chapter 18.18 RCW.

Referred to Committee on Commerce.

SENATE BILL NO. 2089, by Senators Atwood, Newschwander, Sandison and Durkan (by Legislative Budget Committee request):

An Act relating to state government; providing for a state-wide forms management program within the department of general administration; prescribing powers, duties and responsibilities; and adding a new section to chapter 43.19 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 2090, by Senators Durkan, Sandison, Donohue, Atwood and Dore (by Legislative Budget Committee and Joint Committee on Higher Education request):

An Act relating to certain transfers of Washington State University classified employees to the Washington public employees' retirement system; adding new sections to chapter 41.40 RCW; making an appropriation; declaring an emergency; making certain effective dates; and creating new sections.

Referred to Committee on Higher Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 2090.

SENATE BILL NO. 2091, by Senators Herr, Grant and Wanamaker:

An Act relating to sports stadia; and adding a new chapter to Title 67 RCW.  
Referred to Committee on State Government.

SENATE BILL NO. 2092, by Senators Bottiger and Canfield (by Permanent Property Tax Committee request):

An Act relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020; adding new sections to chapter 4, Laws of 1963 and to chapter 36.40 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2093, by Senators Atwood, Newschwander and Marsh:

An Act relating to state funds; amending section 43.79.260, chapter 8, Laws of 1965 and RCW 43.79.260; amending section 43.79.270, chapter 8, Laws of 1965 and RCW 43.79.270; amending section 43.79.280, chapter 8, Laws of 1965 and RCW 43.79.280; and repealing section 43.79.250, chapter 8, Laws of 1965 and RCW 43.79.250.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2094, by Senators Bottiger, Odegaard and Canfield (by Permanent Property Tax Committee request):

An Act relating to revenue and taxation; and adding a new section to chapter 84.48 RCW.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 55, by Representatives Bauer, Luders, Julin, Erickson, King, Hoggins, Brown, Bluechel, Johnson, North (Lois), Kraabel, Ceccarelli, Charnley, Cunningham, Curtis, Eng, Freeman, Gilleland, Goltz, Hansey, Hayner, Hendricks, Knowles, Lysen, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Smythe, Tilly, Van Dyk and Wilson (by Superintendent of Public Instruction and Joint Committee on Education request):

Conforming statutory excess levy election provisions with constitutional changes made by HJR 47.

Referred to Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 3, by Representative Charette:  
Joint Session to receive Premier of British Columbia.

#### MOTIONS

On motion of Senator Mardesich, House Concurrent Resolution No. 3 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 3 was advanced to third reading, the second reading considered the third, the resolution was placed on final passage and passed.

At 11:20 a.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

January 11, 1973.

HOUSE BILL NO. 55, relating to revenue and taxation (reported by Committee on Education):

RECOMMENDATION: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted):

Passed to Committee on Rules for second reading.

At 2:05 p.m., the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules.

The President called the Senate to order at 2:00 p.m.

MOTION

Senator Bailey moved adoption of the following resolution:

SENATE RESOLUTION 1973-7

By Senators Bailey and Mardesich:

BE IT RESOLVED, That the rules of the Second Extraordinary Session of the Forty-second Legislature be adopted as the permanent rules of the Forty-third Legislature with the following amendments:

Amend Rule 2 to read as follows:

“Rule 2. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate: PROVIDED, HOWEVER, That the appointment of the said conference, special, and joint [and hereinafter named standing] committees shall be subject to the confirmation of the senate.

In the event the senate shall refuse to confirm any *such conference, special or joint* committee or committees, such committee or committees shall be forthwith elected by the senate.

*In appointing the committee members to the hereinafter named standing committees, the president shall name members in the same ratio as the membership of the respective parties in the senate. Committee members will be selected by each party's caucus.*

The following standing committees shall constitute the standing committees of the Senate:

[ 1. Agriculture and Horticulture . . . . .	9
2. Cities, Towns and Counties . . . . .	15
3. Commerce and Regulatory Agencies . . . . .	20
4. Constitution, Elections and Legislative Processes . . . . .	14
Committee on Redistricting . . . . .	14
5. Education . . . . .	13
6. Higher Education and Libraries . . . . .	15
7. Judiciary . . . . .	13
8. Labor and Industrial Insurance . . . . .	8
9. Manufacturing and Industrial Development . . . . .	7
10. Medicine, Dentistry and Health Care, Air and Water Pollution . . . . .	10
11. Natural Resources, Fisheries and Game . . . . .	11
12. Parks, Tourism, Capitol Grounds and Veterans' Affairs . . . . .	11
13. Public Institutions . . . . .	9
14. Public Pensions and Social Security . . . . .	7
15. Rules and Joint Rules . . . . .	16
16. State Government . . . . .	10
17. Transportation . . . . .	26
18. Ways and Means . . . . .	38
Committee on Appropriations . . . . .	21
Committee on Revenue and Taxation . . . . .	16
Committee on Claims and Auditing . . . . .	7]
1. Agriculture . . . . .	7
2. Commerce . . . . .	7
3. Constitution and Elections . . . . .	7

4. Ecology . . . . . 7  
 5. Education . . . . . 7  
 6. Financial Institutions . . . . . 7  
 7. Higher Education . . . . . 7  
 8. Judiciary . . . . . 11  
 9. Labor . . . . . 7  
 10. Local Government . . . . . 11  
 11. Natural Resources . . . . . 7  
 12. Parks and Recreation . . . . . 7  
 13. Rules . . . . . 13  
 14. Social and Health Services . . . . . 13  
 15. State Government . . . . . 7  
 16. Transportation and Utilities . . . . . 17  
 17. Ways and Means . . . . . 19”

Amend Rule 12 to read as follows:

“ORDER OF BUSINESS

“Rule 12. After the roll is called and journal read and approved, business shall be disposed of in the following order:

FIRST. Reports of standing committees.

SECOND. Reports of select committees.

THIRD. Messages from the governor and other state officers.

FOURTH. Messages from the house of representatives.

FIFTH. Introduction, first reading and reference of bills, memorials and resolutions.

SIXTH. [Presentation of petitions, memorials, resolutions and motions.] *Second reading of bills.*

SEVENTH. [Second reading of bills.] *Third reading of bills.*

EIGHTH. [Third reading of bills.] *Presentation of petitions, memorials, resolutions and motions.*

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present. (See also Rule 46, Paragraph 4.)

Amend the second paragraph of Rule 17 to read as follows:

“SENATE RESOLUTIONS

Senate resolutions shall be acted upon in the same manner as motions. *All senate floor resolutions shall be on the secretary’s desk at least twenty-four hours prior to consideration.*”

Amend Rule 28 as follows:

Strike the Amendment to Senate Rule 28 adopted January 18, 1972, and restore the original language.

Amend Rule 46, Duties of Committees, by deleting “and joint rules” wherever it may appear in the rule.

Amend the first paragraph of Rule 47 to read as follows:

“COMMITTEE REPORTS

Rule 47. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form, shall carry one of the following recommendations, and shall be [signed] *adopted* by those members of the committee subscribing thereto [.] *in a regularly or specially called meeting:*”

Amend Rule 47 by deleting “and joint rules” wherever it may appear in the rule.

Amend Rule 58 to read as follows:

“INTRODUCTION OF BILLS

Rule 58. All bills, resolutions and memorials to be introduced shall be in quintuplet, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee

bills which shall be in accordance with the joint rules of the senate and house: PROVIDED, HOWEVER, That any member desiring to introduce a bill, joint resolution or memorial shall file the same with the secretary of the senate by five o'clock on the evening of the day before the convening of the session at which said bill, resolution or memorial is to be introduced; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the secretary at the time above stated.

The original bill is for the use of the senate, one copy for the printer, two for the secretary and the other for use by the members of the press. After the [fortieth] *thirty-sixth* day of the session no bill shall be introduced, except as the legislature shall direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session: PROVIDED, That the time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees [, bills relating to redistricting or reapportionment] and general appropriation and revenue bills.

Members and members-elect to the senate may pre-file bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any extraordinary session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day: PROVIDED, HOWEVER, That no bill, memorial or resolution shall be filed by title and/or preamble only. (See also Rule 4.)"

Amend Rules 61, 67, 69, 70 and 73 by deleting "and joint rules" wherever it may appear in the rule.

#### MOTIONS

On motion of Senator Bailey, the amendment to Rule 2 was adopted.

On motion of Senator Bailey, the amendment to Rule 12 was adopted.

Senator Bailey moved adoption of the amendment to Rule 17.

#### POINT OF INQUIRY

Senator Rasmussen: "Mr. President, will Senator Bailey yield to a question? Senator Bailey, this change in the action on the resolution reads, 'shall be on the Secretary's desk.' Do you mean that they shall be on the members' desks twenty-four hours before action? If they were just on the Secretary's desk they could be there and we would not see them."

Senator Bailey: "Senator Rasmussen, I would assume that the Secretary would make those available right away. The problem we have had is they have always been available up there but sometimes they were presented before they had time to even reproduce them. That has been our biggest trouble. This is one of the things we are trying to iron out, to give the Secretary the time, and he has assured us that as soon as he received those they would be on your desks."

Senator Rasmussen: "Reproduced and put on. . . ."

Senator Bailey: "You will be reading them today for what appears on the calendar tomorrow."

Senator Rasmussen: "Very good. Thank you."

#### POINT OF INQUIRY

Senator Canfield: "Mr. President, would Senator Bailey yield? Senator Bailey, if you had a resolution that you thought was rather emergent, is there anything in the rules that would permit you then to introduce that resolution without following this, by majority vote?"

Senator Bailey: "Senator Canfield, I am not an expert on Rules, I got into this thing just accidentally, but I think that to suspend the rules would require a two-thirds vote. If you had anything of an emergency nature I see no problem that you would have. I have never seen the Senate turn down an emergency situation on a resolution. If you have something of a political nature that is to spring a trap on some of your enemies or some of

your friends, then I think you would have trouble getting the rules suspended. The purpose of this is not to have you voting on things without being able to read them. I see no problem if you have a real emergency but what the Senate would suspend the rules if so moved."

The motion carried and the amendment to Rule 17 was adopted.

#### MOTIONS

On motion of Senator Bailey, the amendment to Rule 28 was adopted.  
Senator Bailey moved adoption of the amendment to Rule 46.

#### POINT OF INQUIRY

Senator Bailey: "Mr. President, I would like to suggest, if we could, that we could go through this matter and preserve the rights of Senator Greive and Senator Clarke, who have amendments, to go back tomorrow and consider these. We are not going to have time to finish. Let's get this one sheet out of the way and then go back and reserve their right to submit the rules changes as they wish and then we will have more time to look them over and consider them. Do you have any objection to that, Senator Lewis?"

Senator Lewis (Harry): "I do not have any objection, Senator Bailey, if the Chair will rule that way."

Senator Lewis (Harry): "Mr. President, having once adopted the major amendment on the desks, will other amendments be in order for consideration?"

Senator Greive: "Since we have no rules, I presume we would revert to Reed's. That is the only thing we have. Reed's has a Rule 52 that indicates the majority can do just about what it wishes. And I would suggest that until such time as these rules are finally adopted, why we can just continue on."

#### RULING BY THE PRESIDENT

The President: "The President believes that the consensus of the Senate is to this effect, namely; that the amendment to Rule 46 may be adopted, but if subsequent amendments to Rule 46 are proposed tomorrow that the Senate will consider them."

Senator Lewis (Harry): "Mr. President, one further question. In the event that we adopt the major amendment you have described and then a further amendment is placed upon that or another rule tomorrow, can another amendment to that same rule be considered by the Senate under your interpretation?"

#### RULING BY THE PRESIDENT

The President: "Yes. For instance, Senator Lewis, a specific example, if Senator Clarke wishes to propose an amendment to Rule 46 tomorrow, even though the members in their wisdom adopt the amendment to Rule 46 today, that the consensus of the Senate is that the Senate will consider Senator Clarke's amendment tomorrow."

Senator Bailey: "Mr. President, I would like to clarify what I was trying to get at for Senator Lewis and that was that in caucus we more or less promised Senator Greive the right to present his amendments which he did not have time to prepare. Some of them are prepared, some of them are not. We promised him that we would consider these tomorrow and it would be my thought if we would get some of these out of the way today, then go on to the additional ones tomorrow, it would help us a lot."

#### RULING BY THE PRESIDENT

The President: "To be more specific, Senator Lewis, the President would like to point out that all amendments will be considered before adoption of the resolution."

The motion by Senator Bailey carried and the amendment to Rule 46 was adopted.

## MOTION

Senator Bailey moved adoption of the amendment to Rule 47.

## POINT OF INQUIRY

Senator Clarke: "Would Senator Bailey yield to a question? I merely wanted to endeavor to clarify the intent and I do think it is a very excellent idea and probably goes about as far as we practically can go in this connection. One thing is not clear to me, however, and that is where it is stated that it shall be adopted by those members of the committee subscribing in a regularly or specially called meeting. Now as I understand the mechanics, we quite often will have a committee meeting at which a quorum will be present but nevertheless those voting in favor to pass out a bill may not be the required majority of the entire committee. So the adoption at that particular meeting would be by a majority of the quorum but not a majority of the entire committee. Then it is stated that the subscribers, which must be a majority of the entire committee, must in effect adopt the resolution at an open meeting. I would assume then that the procedure would be that after the initial meeting where a bill was voted out by a majority, if that majority was not a majority of the entire committee, that then the bill would be brought up again in a subsequent special or regular committee meeting, at which time anyone else desiring to vote in favor of it would so vote in open committee, but that the actual signing of the majority report could be done at any time and any place after this formality of adoption by a majority of the committee in open meeting, which could be either in one meeting or two meetings. Do you follow that reasoning?"

Senator Bailey: "Yes and no. I think you have the intent. Senator Clarke, I think we have the power now under any rule, written or unwritten, that anybody can stand and challenge whether or not a quorum is present and that sort of thing in a committee meeting. I think that there is enough leeway here if somebody wants to say that action has been adopted by a majority of the quorum present, that perhaps you have a point, but you are not going to win your point in the end if you are fighting the majority because all we have to do is come on the floor and have a specially called committee meeting and walk into the other room and come out with the signatures. I cannot see mechanically how it would do any more than just be a holding up process in that respect. I think that you are not going to sign, your members are not going to sign something they do not believe in when it comes out on the floor. If they are against it they are not going to sign the bill out of committee, that is a sure thing, because their name is then on the written record."

Senator Clarke: "Well, Senator, then what is meant by the wording, 'shall be adopted by those members of the committee subscribing thereto, which must be a majority of the entire committee in a regularly or specially called meeting.'? Now this is somewhat similar to a rule that we had in the House, which was adopted, incidentally, by the Republican majority of the House at the request of the Democratic minority. And that rule, however, is even stricter in that it requires the actual signing of the bill in an open meeting. I do not think that that is necessary or desirable because quite often there will be amendments and so forth that need to be typed up and the signing can be handled some other time. However, we did handle it over on the House side by requiring that the actual vote be taken at an open meeting. Now the reason for this in reality was that it provided an opportunity for the public or the press or anyone else who was attending and watching these meetings to be able to know and be advised at which time the actual majority, the requisite majority of the entire committee had in reality adopted or acted to adopt the passing out of the bill. And I think actually that that is what your proposed rules now state. If the idea is, and I rather assumed from your answer that the idea was that after a bill was voted out by a majority of the quorum, which however was less than the number required to sign out, that then it could be signed subsequently at other than an open meeting. That is not the way I read your rule and that is the reason that I asked for clarification."

Senator Bailey: "Senator Clarke, I think we are talking about secret meetings and things like that. The committee meetings themselves are open. If there is only a majority of the quorum there, certainly if the press is very diligent and wants to ferret out anything and if they really want to take the trouble to go to a committee hearing, they can tell who is

voting and who isn't. If there are enough absent that it looks bad they can go after those people. But when you go to a special meeting and go out in a room and sign it, it might be a secret meeting but it certainly is not a secret when that form comes out and everybody's name is for it or against it on the public record. I do not see that that is really any problem. We tried to leave a little leeway here on the word 'adopted' so we would not in one fell swoop tie the committees up in a knot we could not get out of a little later in the session. We are trying to do just exactly what you are talking about. If it is abused we will have to tighten it up. If it isn't, it is a step in the right direction anyway."

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Bailey yield? Senator Bailey, when we talk in this Rule 47 about a majority report, I think I am going to what Senator Clarke was driving at, is this a majority of the committee or a majority of a quorum?"

Senator Bailey: "Majority of a quorum."

Senator Lewis (Harry): "Senator Canfield, if I might respond for Senator Bailey, I would like to clarify the situation. The language that the Republican leadership presented was substantially different from this language. I think that it is clear that the language in the amendment we are looking at does not accomplish the total purpose that was our objective. However, we did agree with the leadership on the other side that we would support this amendment. I think that we should even though I think it is possible that members of our caucus will present additional amendments tomorrow. I would ask you to support the amendment on the basis that it is an improvement over the present rule. It does in essence require a meeting prior to circulation of bills. This is basically the only difference that we are talking about from our present position. So I would suggest that we adopt this amendment and then perhaps consider our original amendment for a vote of the entire Senate at a later time."

#### MOTION

At 3:05 p.m., on motion of Senator Mardesich, the Senate recessed until 6:15 p.m.

#### EVENING SESSION

The President called the Senate to order at 6:15 p.m.

At 6:15 p.m., the Senate retired to the House chamber to meet in Joint Session for the purpose of receiving the Budget Message of Governor Daniel J. Evans.

#### JOINT SESSION

The Sergeant at Arms of the Senate 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, John A. Cherberg, the President Pro Tempore of the Senate, Al Henry, and the Vice President Pro Tempore of the Senate, James E. Keefe, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

The President of the Senate presided.

The President called the Joint Session to order.

The Secretary of the Senate called the roll of the Senate, and all members were present.

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

The President of the Senate announced that the Joint Session was called for the purpose of receiving a message from Governor Daniel J. Evans.

The President of the Senate appointed the following committee to notify the Governor that the Senate and the House were in Joint Session and ready to receive his message and to



stand ready to escort the Governor to the rostrum: Senators Canfield and Day; and Representatives Martinis and Morrison.

The committee retired.

The President of the Senate appointed the following committee to escort the Justices of the Supreme Court of the state of Washington to the bar of the House: Senators Washington, Jolly, Whetzel and Grant; and Representatives Bagnariol, Knowles, Johnson, Cunningham and Leckenby.

The committee retired.

The Sergeant at Arms of the House announced the arrival at the bar of the House of Chief Justice Frank Hale and the Justices of the Supreme Court, and the President of the Senate instructed the committee to escort the Justices of the Supreme Court to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort the elected state officials to the bar of the House: Senators Donohue, Guess, Scott and Knoblauch; and Representatives Luders, Bausch, Newhouse and Hendricks.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the elected state officials at the bar of the House. The President of the Senate instructed the committee to escort the elected state officials to seats at the front of the House Chamber.

The President of the Senate: "Honored members of the Legislature, ladies and gentlemen: The Governor will arrive at approximately 6:55, and will be escorted in, in sufficient time to begin his address at 7:00 p.m. sharp. This is for the benefit of the vast number of people in the state of Washington who will be viewing this particular Joint Session and listening to the Governor's address throughout the state. Inasmuch as there are about ten minutes left, the President thought perhaps the Honorable Frank Hale, Chief Justice of the Supreme Court, would present the members of the court to those present."

Chief Justice Frank Hale: "Thank you, Mr. President. It gives me a great deal of pleasure, and I consider it an honor at this time, to introduce to you my colleagues on the Supreme Court. First, our senior Justice, Justice Robert C. Finley; and from the big sky country of Grant County, Mr. Justice Robert T. Hunter; and from our own district here, where the court sits—a judge who served among you for over twenty-two years as a superior court judge, Mr. Justice Charles T. Wright; and a big city judge from the largest county in the state and one of the great metropolitan areas of this country, Mr. Justice Robert F. Utter; it gives me pleasure now to introduce a former colleague of the members of this House from the Yakima District, Mr. Justice Robert F. Brachtenbach."

The President of the Senate: "The President at this time would like the following state elected officials to stand and be recognized: The Honorable Karl V. Herrmann, Insurance Commissioner; the Honorable Slade Gorton, Attorney General; the Honorable Frank Brouillet, Superintendent of Public Instruction; Honorable Robert Graham, State Auditor; Honorable A. Ludlow Kramer, Secretary of State.

"Here on the rostrum, of course, you are familiar with Mr. Speaker, Lenny Sawyer, and the first team of the Senate parliamentary team, President Pro Tem Al Henry, the tight end on this team. And, of course, you all recognize Senator Dr. Jimmy Keefe, the wide receiver. Jimmy told me this afternoon he would have been an All American football player, but he had a bad habit of running for the sidelines. I would ask Jimmy to come up and give you some witty sayings, but he told me he killed vaudeville a number of years ago. Rather than bore you for five minutes, we will just be at ease."

The Sergeant at Arms of the House announced the arrival of His Excellency, Governor Daniel J. Evans, at the bar of the House, and the President of the Senate instructed the committee to escort Governor Evans to a seat on the rostrum.

The President: "Esteemed members of the Legislature, ladies and gentlemen: It is a privilege and a pleasure for the President at this time to present His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington."

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

The Governor: "Mr. President, Mr. Speaker, ladies and gentlemen of the Legislature, and again my fellow Washingtonians: If yesterday was a day of beginning, and last night was

a night of celebration, then perhaps tonight is a night of reality of attempting to translate those high ideas and best wishes into the reality of a budget for the next two years of this state.

"Tonight I will bring to you and to the people of this state the budget details which will translate into reality many of the high hopes and challenges expressed in my Inaugural Address of yesterday. This comprehensive budget represents thousands of hours of agency time and my own personal involvement, but I want to pay special tribute tonight to our office of Program Planning and Fiscal Management and particularly to those twenty-five budget analysts who were key men and women in the development of this budget. They accumulated over 7,000 hours of overtime in its preparation—few of those hours ever to be compensated.

"Two years ago I presented a budget which was austere and a reflection of the economic difficulties which the state was then experiencing. I predicted that the economy would continue to decline during fiscal year 1971, then level off, and that we would see a resumption of moderate growth during fiscal year 1973. Tonight I can report that economic recovery has come faster and more buoyantly than we expected then, or even during intervening months. Employment today is thirty-eight thousand higher than a year ago and represents a new diversity unmatched in previous recovery periods. Personal income growth in 1972 will exceed eight and a half percent, which is a growth rate, once again far above the national average and much greater than the continued growth in cost of living. As we look ahead to the upcoming biennium, we anticipate that the state's economy will continue to improve and that by 1975 there will be sixty thousand more people employed than during the previous peak boom year of 1969. This Legislature a year ago helped speed our economic recovery by passage of the 'Jobs Now' program and the presentation of Washington Future to our voters. During this past year the 'Jobs Now' program effort has produced thirty-nine new public works projects, scattered in communities across this state, designed to prepare for long-range business activity and permanent jobs. These efforts have resulted in over fourteen hundred primary jobs and forty-seven hundred permanent jobs either created or saved from these projects. One million dollars has gone into special economic assistance to Indian tribes of this state, and most have taken part with the expectation that unemployment on those reservations will be cut in half, from over 2,000 to 1,000 with the full utilization of these funds. Drainage basin planning and local planning assistance has helped us prepare for the wise utilization of the Washington Future Bond Issues and these programs—the 'Jobs Now' programs—have generated over 10 million dollars in additional matching money for the communities of this state. The efforts of government, labor, business and the private individual have combined to bring us through a period of economic trial and set us on the road to recovery faster than anyone could have anticipated. According to nationally prepared forecasts of the United States Department of Commerce, Washington will lead all states in the nation in per capita income growth during the remainder of this decade.

"These economic improvements which we have achieved and the forecasts of continued improvement hold special significance to the members of the Legislature and to the citizens of our state. I am able to present to you a budget for the biennium 1971-73 which is balanced and which will require no new or increased taxes of any kind. It is clear with the budget I am presenting, that we can continue to maintain the highly enviable record we have achieved, which according again to the United States Department of Commerce is the lowest rate of state tax growth of any of the fifty states of this nation during the past five years.

"The General Fund budget for the upcoming biennium totals 2.77 billion dollars—an increase of 14 percent over the previous biennium. The total state budget—including all funds—is 4.83 billion dollars—an increase of 11 percent over current expenditures. This budget does provide relief—relief of taxing pressures at the local governmental level. For example, I am proposing that 37 million dollars of the state's federal revenue sharing money be allocated to local school districts to replace property taxes and we will utilize 34.5 million dollars of general revenue sharing money to replace a like decrease in state property tax revenues. These combined efforts will reduce the burden on property taxes throughout this state by over 70 million dollars.

"Much has been said of economy and efficiency in government. Eight years ago I

appointed a Citizen Task Force on Governmental Efficiency, which resulted in 382 separate organizational and procedural improvements which have provided annual savings of more than \$8 million each succeeding year. I believe it is time to renew this effort and will shortly establish a new and continuing Citizen Task Force to assist us in bringing the best in business management methods to the operation of our state agencies. I am also recommending a new approach in this upcoming budget to encourage a continuing search for efficiency in each of our major departments. The budget contains an employee productivity factor of 2.5 percent for each of the years of the biennium. I will monitor carefully this target to assure that the 2.5 percent per year savings comes not in a cut in service but in a true increase in productivity, through use of new methods and new management techniques. The potential impact of this new feature is more than 40 million dollars in savings during the next two years.

"The people of this state have given to this Legislature a unique mandate and a special opportunity. The 415 million dollars Washington Future Bond issues will provide matching money for more than a billion dollars in state and local funds to create a massive capital investment program for the betterment of our state. Some are already suggesting that major amounts of this investment be made now for projects which have merit but no overall sense of priority. I shall resist that concept, for I believe it is essential that proper planning precede the major capital investments which will follow. This budget proposes a total expenditure of 71 million state dollars, which when fully matched equals a 183 million dollars stimulus to the state's economy and will create 22,000 man years of construction and secondary jobs. In 1974 we will have an opportunity to come back and review the progress on planning and I expect that we will be able to take a further step in fund utilization of the Washington Future Program. A major share of the initial investment will be in three areas: 33 million dollars of state money in water pollution control and solid waste management and water supply, including irrigation, 12 million dollars in recreation and 25 million dollars for state community college facilities.

"In 1967 the Washington State Legislature enacted the Community Services Act for Mental Health and Mental Retardation. This far-sighted legislation has a long-range goal of providing a system of community-based programs for the mentally ill and the mentally retarded. This budget continues to stress the need for community-based programs with a de-emphasis on large institutional care facilities. In community retardation we expect to expand the group home concept and program by several hundred with a resulting reduction in the number of institutional residents of almost 700 during the next two years. We will experience a parallel drop in the population of our mental health institutions to slightly over 1,600 at the end of the biennium. This compares with over 7,000 in those same three institutions just a little over a decade ago. New and better treatment methods for tuberculosis will result in a continued rapid drop in long-term hospital care. The spectacular success of our Juvenile Probation Subsidy Program will further reduce the population of our juvenile institutions.

"With the success of our community programs the time has clearly come to review continued operation of a number of state institutions. I will therefore propose the closure of four institutions during the course of this biennium and the shift in program at a fifth. I recognize the economic and human trauma in institutional closure and, therefore, will introduce an Economic Impact Act designed to assist the employees whose jobs are affected by termination of a facility, as well as provide economic assistance to the community whose economic base is threatened. The essential elements of this act allow special payments for the movement of household goods for those who may transfer, and a state sharing in potential financial loss on the sale of a home for those employees transferred. It also provides for early retirement programs for those employees who have substantial years of service in state government, as well as liberal termination pay agreements for those who leave the state service with fewer years. The community involved could qualify for community assistance grants of substantial proportions to aid in the development of economic alternatives. The future of our community programs—the whole thrust of what we have engaged in over the last six years—depends on this legislature's willingness to face necessary changes and institutional closures where better alternatives are available. I am confident this Economic Impact Act will make the transition much more realistic.

"The success of the Community Health Program will mandate the closure of Northern

State Hospital at the end of calendar year 1973. The Economic Impact Act will aid both the employees of that facility and the community in which they reside. In addition \$500,000 is being set aside for the four northwestern Washington counties for special assistance in community mental health activities.

"Success in our tuberculosis treatment program will allow the closure of Firlands Hospital in Seattle as a specialized tuberculosis treatment facility and the substitution of treatment in local existing hospital facilities. With that closure, the savings to the nineteen western Washington counties involved will approach one million dollars.

"The success of the Juvenile Probation Subsidy Program will allow the closure of the Spruce Canyon Youth Camp and the transfer of the Indian Ridge Youth Camp to the adult corrections system where it will serve as a prototype for a community correction facility for first-time adult offenders. One of the great benefits of that juvenile probation subsidy program is this opportunity to test out the concepts of a small community-oriented adult facility without additional capital investment, and with an existing staff, essentially already at hand. The Larch Mountain Honor Camp will be merged into the Clearwater Honor Camp to allow it to run at full capacity. Both today are running at half capacity.

"I shall propose an Adult Probation Subsidy Program and a Mental Health Subsidy Program which will match and parallel the operation of the spectacularly successful Juvenile Probation Subsidy Program. This will allow local communities to establish effective Adult Correction and Mental Health Programs and receive funding from the state level for their support. We intend to move moderately in this field—not too rapidly, but to take these strides which I believe will prove as successful as those we have already taken. The next few years offer unique opportunity for Washington to lead the nation in community care for citizens with special problems.

"During the past decade one of the most pressing financial problems placed on state resources came as a result of ever-increasing enrollments in the public education system as the baby boom following World War II passed through our school system. Sharp declines in the birth rate over the last few years, however, have resulted in a leveling of enrollments and the forecast for the next biennium indicates that there will be an absolute decline of several thousand in student enrollment in our common schools. Community college, college and university enrollment will continue to climb but at a slower rate than in past years. This easing in the previous unrelentless enrollment pressure provides, not only welcome financial relief, but also an opportunity for each sector of our public education system to rededicate itself to a program of excellence in education. Education continues to be the single, most important investment of state government with general fund expenditures of 1.3 billion dollars scheduled for the next biennium. This represents virtually half of the total general fund budget.

"In order to reestablish an actuarially sound funding program for the Teacher's Retirement System, I am including 70 million dollars in the budget for the 1973-75 biennium which, when coupled with the 18 million dollars in surplus revenue from the current biennium, will provide a significant step toward the establishment of the full level funding program for the retirement system. We have consulted with professional actuaries on the soundness of this approach, and I am confident it will be acceptable to this Legislature and to those teachers the system serves.

"The operation and construction programs of the Washington State Patrol, the Department of Highways and the Department of Motor Vehicles depend heavily on the state's Motor Vehicle Fund for their operation. The 1973-75 biennial budget requests of these agencies exceeded the amount of revenue available by more than 30 million dollars. We have carefully scrutinized and reduced each of these budgets to develop a program—a very importantly limited program—which will meet the essential staffing required and allow for full matching of all potential federal highway fund dollars. The Toll Bridge Authority Budget includes 1.2 million dollars to construct holding tanks on the remaining ferries to eliminate pollution caused by state ferries, and to lead the way toward similar action by others in the marine field. In order to more effectively meet the growing demand for passenger ferry service between cross-sound points, this budget includes 3 million dollars to be matched with additional federal funds so that we can add fast passenger vessels to our ferry fleet as a means of improving the service to foot passengers as well as reducing automobile congestion. The State Patrol's Budget allows for the addition of thirty-six

troopers in the field force so we can continue the splendid record of traffic death reductions of recent years. Hundreds of Washington motorists are alive today because of the increased safety activities of our State Patrol and 1972 proved to be the best year in Washington history in terms of traffic safety.

"The projected rising enrollments in colleges and universities, as well as community colleges, will require additional personnel in those facilities. Suggested new programs also will require additional personnel. In other areas of government, however, there will be consistent personnel reductions and the total employment during the upcoming biennium will be unchanged from its present levels. This represents the first time in years that state government personnel levels have stabilized. Only through increases in governmental efficiency can this record be maintained.

"The final area I wish to share with you, specifically, is that of compensation for those who work in public service. One of the important elements in our economic recovery and in our ability to maintain a balanced budget during the depths of the recent recession was the willingness of public employees to forego salary increases while a large majority of those in private employment continued to receive salary increases regularly. I believe now is the time to begin to close that gap between compensation for public employees and compensation for those working in equivalent jobs in private enterprise or for other governmental entities. I am therefore proposing an increase of 4 percent or \$40 per month, whichever is higher, to take effect on January 1, 1973, for all classified employees of state government and higher education systems. I will ask for a 4 percent salary increase for all school teachers as well as professors and instructors in higher education. I will ask for an additional 3 percent increase effective January 1, 1974, and I will ask that there be an increase of \$5 a month in medical insurance payments effective July 1, 1973. In addition to these general benefits, I will ask for the authority for incremental payments or longevity payments to college and university professional staff and will seek a substantial betterment of their retirement program. I will also ask that teachers retirement benefits be raised to the equivalent of state employees.

"This budget, unquestionably, does not meet all the desires and needs presented to us in the budget-making process. It does, however, allow for substantial progress and opens the door to new ideas and new directions in state government. It is a budget which emphasizes efficiency and innovation. It is a budget which embarks us on the Washington Future Program and a better opportunity to plan for Washington's future. It is important that we monitor the expenditures set forth in this budget to insure that progress toward the goals we have previously set is truly made.

"I expect to work closely with you and to offer the full resources of the departments of the executive branch of this government in turning our great hopes and the people's expectations into reality through the Appropriations Act of 1973.

"Through our joint efforts let us begin the task which over the next decade will provide the kind of quality state which will be a proud heritage to those who succeed us.

"Thank you."

The President of the Senate directed the special committee to escort His Excellency, Governor Daniel J. Evans to his office. The special committee thereupon escorted the Governor from the House Chamber.

The President of the Senate directed the special committee to escort the Chief Justice and the members of the Washington State Supreme Court from the House Chamber. The special committee thereupon escorted the Justices of the Supreme Court from the House Chamber.

The President of the Senate directed the special committee to escort the state elected officials from the House Chamber. The special committee thereupon escorted the elected state officials from the House Chamber.

The President: "Mr. Speaker, members of the House: Thanks once again for the wonderful hospitality."

The President of the Senate turned the gavel over to the Speaker of the House.

#### MOTION

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort

President Cherberg, President Pro Tempore Henry, and Vice President Pro Tempore Keefe, and the members of the Senate to the Senate Chamber.

The Senate reconvened at 7:30 p.m.

#### MOTION

At 7:30 p.m., on motion of Senator Bailey, the Senate adjourned until 9:30 a.m., Friday, January 12, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### FIFTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 12, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jim Roper and Truel Jaton, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

"JESUS SAID: 'PEACE I LEAVE WITH YOU: MY PEACE I GIVE UNTO YOU'. O GOD, FROM WHOM ALL HOLY DESIRES, ALL GOOD THOUGHTS AND ALL JUST ACTIONS DO PROCEED: GIVE TO THY MEMBERS OF THIS SENATE OF THE STATE OF WASHINGTON YOUR PEACE AND YOUR BLESSING. MAY THEY SEEK FROM YOU WISDOM, TRUTH AND UNDERSTANDING THAT THE WORK THEY DO FOR THE PEOPLE OF OUR STATE MAY BRING A BETTER CHANCE FOR ALL MEN TO LIVE THE ABUNDANT LIFE. HELP THEM TO REMEMBER THE POOR AND THOSE TRAPPED BY THE CRUELTY OF POVERTY, IGNORANCE, FEAR AND PREJUDICE, AND GIVE THEM A WILL TO CREATE AMONGST US A BETTER SOCIETY FOR US ALL. THESE ARE NOT EASY TIMES AND THE PROBLEMS BEFORE MEN, OUR FATHER, ARE COMPLICATED—HELP THE MEMBERS OF THIS SENATE TO HAVE THE PATIENCE TO SEEK FAIR AND HONORABLE SOLUTIONS TO THEM, THAT WHAT IS DONE HERE WILL BE FOR THE GOOD OF ALL THE PEOPLE IN OUR STATE. OUR PRAYER, O LORD, IS FOR THE COURAGE TO BE HONEST, THE ZEAL TO BE FAITHFUL PUBLIC SERVANTS AND THE HUMILITY OF HEART TO REMEMBER THAT YOU ARE THE JUDGE OF ALL MEN. HEAR OUR PRAYER, O GOD, FOR WE OFFER IT IN THE FAITH AND NAME OF JESUS CHRIST OUR LORD. AMEN."

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGES FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment subject to your confirmation:

Dr. Glenn Terrell, appointed June 2, 1971, for a term ending June 9, 1975, succeeding himself as a member of the Western Interstate Commission on Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. A. H. "Ike" Parker, appointed October 15, 1971, for a term ending July 1, 1977, succeeding Robert L. Mikalson as a member of the Washington State Highway Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Transportation and Utilities.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Richard Albrecht, appointed September 8, 1970, for a term ending June 30, 1975, succeeding Mineo Katagiri as a member of the Council on Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mrs. Tad H. Wada, appointed May 9, 1972, for a term ending June 30, 1973, succeeding Leon Bridges as a member of the Council on Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

## JOURNAL OF THE SENATE

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. John B. Troup, appointed March 24, 1972, for a term ending July 1, 1977,  
succeeding himself as a member of the Higher Education Personnel Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Dr. Ronald A. Workman, appointed March 28, 1972, for a term ending December 31,  
1975, succeeding Donald G. Hansey as a member of the Washington State Aeronautics  
Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Transportation and Utilities.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
George William Koss, M.D., appointed September 10, 1970, for a term ending  
December 31, 1974, succeeding Emmett Watson as a member of the Washington State  
Aeronautics Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Transportation and Utilities.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Merle D. Adlum, appointed July 10, 1972, for a term ending June 30, 1975,  
succeeding Mrs. Frances Haddon Morgan as a member of the Canal Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Transportation and Utilities.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mrs. Jean Bakke, appointed April 7, 1972, for a term ending April 3, 1976, succeeding  
herself as a member of the State Board for Community College Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.



Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. George Duecy, appointed May 7, 1971, for a term ending April 3, 1975,  
succeeding himself as a member of the State Board for Community College Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. John L. Hagensen, appointed April 7, 1972, for a term ending April 3, 1976,  
succeeding himself as a member of the State Board for Community College Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Goodwin Chase, appointed July 23, 1971, for a term ending June 30, 1977,  
succeeding himself as a member of the Council on Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Carlton Lewis, appointed July 23, 1971, for a term ending June 12, 1977,  
succeeding John Mosier as a member of the Council on Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. George W. Johnson, appointed May 31, 1972, for a term ending May 15, 1977,  
succeeding Ronald N. Hatten as a member of the Prison Terms and Parole Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Social and Health Services.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Jack Berry, appointed May 31, 1972, for a term ending May 15, 1977, succeeding himself as a member of the Prison Terms and Parole Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Social and Health Services.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Jack D. Mullin, appointed March 16, 1972, for a term ending January 4, 1977, succeeding himself as a member of the State Personnel Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on State Government.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. James G. McCurdy, appointed March 20, 1967, for a term ending December 31, 1974, succeeding Ted R. McTighe as a member of the Washington State Parks and Recreation Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Parks and Recreation.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Harold E. Lokken, appointed June 12, 1971, for a term ending June 12, 1975, succeeding himself as a member of the Pacific Marine Fisheries Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Natural Resources.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. James Furman, appointed June 2, 1971, for a term ending June 9, 1975, succeeding himself as a member of the Western Interstate Commission for Higher Education.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Frederick B. Rosmond, appointed May 28, 1971, for a term ending April 3, 1976, succeeding Boyd Rupp as a member of the Board of Trustees of Peninsula Community College District No. 1.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Gerald A. Hunt, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Peninsula Community College District No. 1.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Highway Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Paul B. Hanson, appointed August 20, 1971, for a term ending March 16, 1978, succeeding Boyd A. Kingsbury as a member of the Board of Trustees of Western Washington State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Robert W. Winston, Jr., appointed July 1, 1971, for a term ending March 16, 1976, succeeding Millard B. Hodges as a member of the Board of Trustees of Western Washington State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

## JOURNAL OF THE SENATE

Mrs. Neal Tourtellotte, appointed March 13, 1972, for a term ending March 15, 1978, succeeding herself as a member of the Board of Trustees of Evergreen State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Jerome W. Page, appointed August 14, 1972, for a term ending August 1, 1978, succeeding L. J. Carmody as a member of the Board of Trustees of Eastern Washington State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Herb Frank, appointed June 28, 1972, for a term ending June 6, 1978, succeeding James D. Kendall as a member of the Board of Trustees of Central Washington State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Raymond Garcia, appointed May 11, 1971, for a term ending March 1, 1977, succeeding Joseph Panatoni as a member of the Board of Trustees of Central Washington State College.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Dr. Oswald H. Greager, appointed October 19, 1970, for a term ending at the pleasure of the Governor, succeeding James Dolliver as Chairman of the Thermal Power Plant Site Evaluation Council.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Transportation and Utilities.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mrs. Shirley S. Murray, appointed April 12, 1972, for a term ending April 3, 1977, succeeding herself as a member of the Board of Trustees of Highline Community College District No. 9.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Roy Peterson, appointed June 10, 1971, for a term ending April 3, 1976, succeeding himself as a member of the Board of Trustees of Bellevue Community College District No. 8.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. C. W. Duffy, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Bellevue Community College District No. 8.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mrs. Ina V. Knutsen, appointed April 7, 1972, for a term ending April 3, 1977, succeeding herself as a member of the Board of Trustees of Shoreline Community College District No. 7.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mrs. Roy S. Mar, appointed April 7, 1972, for a term ending April 3, 1977, succeeding herself as a member of the Board of Trustees of Seattle Community College District No. 6.

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. George A. French, appointed September 20, 1971, for a term ending April 3, 1976, succeeding James Sullivan as a member of the Board of Trustees of Community College District No. 6 (Seattle).

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Arthur Siegal, appointed April 3, 1970, for a term ending April 3, 1975, succeeding himself as a member of the Board of Trustees of Community College District No. 6 (Seattle).

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. John Donovan, appointed April 26, 1972, for a term ending April 3, 1977, succeeding Anne Nelskog as a member of the Board of Trustees of Everett-Edmonds Community College District No. 5.

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. John D. Woodward, appointed May 28, 1971, for a term ending April 3, 1976, succeeding Edward S. Bordsen as a member of the Board of Trustees of Everett-Edmonds Community College District No. 5.

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Barney Beeksma, appointed April 25, 1972, for a term ending April 3, 1977,  
succeeding Norman P. Oldenburg as a member of the Board of Trustees of Skagit Valley  
Community College District No. 4.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Louis Soriano, appointed April 7, 1972, for a term ending April 3, 1977,  
succeeding himself as a member of the Board of Trustees of Olympic Community College  
District No. 3.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Stanley C. Gillies, appointed April 7, 1972, for a term ending April 3, 1977,  
succeeding Harry C. James as a member of the Board of Trustees of Grays Harbor  
Community College District No. 2.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. O. Lloyd Hinds, Sr., appointed April 12, 1972, for a term ending April 3, 1977,  
succeeding himself as a member of the Board of Trustees of Clark Community College  
District No. 14.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Dennis Pittelko, appointed April 25, 1972, for a term ending April 3, 1977,

succeeding William L. Brigman as a member of the Board of Trustees of Lower Columbia Community College District No. 13.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. George Warren, appointed June 1, 1971, for a term ending April 3, 1976, succeeding himself as a member of the Board of Trustees of Centralia Community College District No. 12.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Vernon L. Martin, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Centralia Community College District No. 12.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Warren S. Miller, appointed June 1, 1971, for a term ending April 3, 1976, succeeding Gordon S. Gaspard as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Donald M. Matheson, appointed June 8, 1971, for a term ending April 3, 1975, succeeding John L. Aram as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.



Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Reverend M. E. Nesse, appointed April 7, 1972, for a term ending April 3, 1977, succeeding James A. Davis as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mrs. Helen Smith, appointed April 7, 1972, for a term ending April 3, 1977, succeeding herself as a member of the Board of Trustees of Green River Community College District No. 10.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. John Jones, appointed April 7, 1972, for a term ending April 3, 1977, succeeding Dr. Harold L. Tracy as a member of the Board of Trustees of Big Bend Community College District No. 18.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. David Roberts, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Spokane Community College District No. 17.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Bryant Smick, appointed June 10, 1971, for a term ending April 3, 1976,

succeeding himself as a member of the Board of Trustees of Spokane Community College District No. 17.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Paul Rickman, appointed May 11, 1971, for a term ending April 3, 1976, succeeding himself as a member of the Board of Trustees of Yakima Valley Community College District No. 16.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Yoshio Hata, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Yakima Valley Community College District No. 16.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Melvin G. Hammer, appointed November 18, 1971, for a term ending April 3, 1974, succeeding Dr. Joseph Beall as a member of the Board of Trustees of Wenatchee Community College District No. 15.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. J. K. McArthur, Jr., appointed April 24, 1972, for a term ending April 3, 1977, succeeding Ross A. Heminger as a member of the Board of Trustees of Wenatchee Community College District No. 15.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Wallace J. Miller, appointed January 1, 1973, for a term ending at the pleasure of the Governor as Director of the Office of Program Planning and Fiscal Management.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Ways and Means.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Robert M. Yamashita, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Tacoma Community College District No. 22.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Robert O'Neill Springer, appointed July 9, 1971, for a term ending April 3, 1976, succeeding John Binns as a member of the Board of Trustees of Tacoma Community College District No. 22.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Dr. Sam P. Kelly, appointed April 7, 1972, for a term ending April 3, 1977, succeeding himself as a member of the Board of Trustees of Whatcom Community College District No. 21.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Dr. George W. Wood, appointed April 7, 1972, for a term ending April 3, 1977,

succeeding himself as a member of the Board of Trustees of Walla Walla Community College District No. 20.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Steven J. Huntington, appointed June 1, 1971, for a term ending April 3, 1974, succeeding Arden Archer as a member of the Board of Trustees of Walla Walla Community College District No. 20.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 8, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Guy D. Adams, appointed April 24, 1972, for a term ending April 3, 1977, succeeding Arden Archer as a member of the Board of Trustees of Columbia Basin Community College District No. 19.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 10:50 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:50 a.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2095, by Senators Bailey, Fleming and Lewis (Harry):

An Act relating to port districts; providing that a district may appoint a treasurer; and amending section 5, chapter 348, Laws of 1955 and RCW 53.36.010.

Referred to Committee on Local Government.

SENATE BILL NO. 2096, by Senators Gardner, Murray and Odegaard (by Joint Committee on Education request):

An Act relating to the powers and duties of the superintendent of public instruction; and amending section 28A.41.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 105, Laws of 1972 ex. sess. and RCW 28A.41.170.

Referred to Committee on Education.

SENATE BILL NO. 2097, by Senators Stortini, Peterson (Ted) and Keefe:

An Act relating to infants; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as

last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2098, by Senators Bottiger, Newschwander and Donohue:

An Act relating to public funds; amending section 36.29.020, chapter 4, Laws of 1963 as last amended by section 26, chapter 193, Laws of 1969 ex. sess. and RCW 36.29.020; amending section 15, chapter 103, Laws of 1959 and RCW 56.16.160; and amending section 16, chapter 108, Laws of 1959 and RCW 57.20.160.

Referred to Committee on Local Government.

SENATE BILL NO. 2099, by Senators Bottiger, Murray and Grant:

An Act relating to revenue and taxation; authorizing a fire protection district service charge; providing for its administration by certain county officials and a payment therefor; requiring a public hearing prior to imposing a service charge for support of a fire district; adding a new chapter to Title 52 RCW; and providing an effective date.

Referred to Committee on Local Government.

SENATE BILL NO. 2100, by Senators Gardner, Fleming and Murray (by Joint Committee on Education request):

An Act relating to an increase in the number of school directors in consolidated school districts; and amending section 5, chapter 67, Laws of 1971 and RCW 28A.57.357.

Referred to Committee on Education.

SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

An Act relating to the regulation of businesses; providing for the regulation and licensing of plumbers; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2102, by Senator Durkan:

An Act relating to revenue and taxation; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. and RCW 28A.41.130; amending section . . . , chapter . . . (HB No. . . . ), Laws of 1973 and RCW 28A.41.130; amending section 28A.44.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 33, chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.050; amending section 28B.20.394, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 107, Laws of 1972 ex. sess. and RCW 28B.20.394; amending section 35.61.210, chapter 7, Laws of 1965 and RCW 35.61.210; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 42, Laws of 1970 ex. sess. and RCW 35A.40.090; amending section 1, chapter 25, Laws of 1971 ex. sess. and RCW 36.33.220; amending section 1, chapter 102, Laws of 1972 ex. sess. and RCW 36.40.300; amending section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060; amending section 1, chapter 265, Laws of 1957 and RCW 53.36.100; amending section 74.04.150, section 26, Laws of 1959 as last amended by section 17, chapter 281, Laws of 1971 ex. sess. and RCW 74.04.150; amending section 13, chapter 288, Laws of 1971 ex. sess. and RCW 84.04.140; amending section 4, chapter 243, Laws of 1971 ex. sess. and RCW 84.34.230; amending section 84.52.010, chapter 15, Laws of 1961 as last amended by section 6, chapter 243, Laws of 1971 ex. sess. and RCW 84.52.010; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 26, chapter 288, Laws of 1971 ex. sess. and RCW 84.52.052; amending section 84.52.056, chapter 15, Laws of 1961 and RCW 84.52.056; amending section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061; amending section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063; amending section 1, chapter 33, Laws of 1967 ex. sess. as last amended by section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065; amending section 23, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.040; adding a new section to chapter 84.52 RCW; establishing effective dates; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2103, by Senators Dore, Atwood and Walgren:

An Act relating to the deposit and investment of public funds; and amending section 12, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.120.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2104, by Senators Odegaard and Atwood (by Executive request):

An Act adopting the budget; making appropriations for the operations of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2105, by Senators Atwood and Odegaard (by Executive request):

An Act adopting the capital budget; making appropriations for capital improvements; authorizing certain projects; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2106, by Senators Donohue and Lewis (Harry) (by Executive request):

An Act relating to expenditures by state agencies; adopting a supplemental budget; making supplemental appropriations and authorizing expenditures for the fiscal biennium beginning July 1, 1971, and ending June 30, 1973; making other appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2107, by Senators Atwood, Sandison, Durkan and Gardner:

An Act relating to land reclamation; amending section 2, chapter 104, Laws of 1959 as amended by section 2, chapter 51, Laws of 1972 ex. sess. and RCW 89.16.020; and repealing section 12, chapter 158, Laws of 1919, section 1, chapter 15, Laws of 1925 ex. sess., section 1, chapter 218, Laws of 1927, section 1, chapter 94, Laws of 1929, section 1, chapter 80, Laws of 1931, section 1, chapter 24, Laws of 1933 and RCW 89.16.120.

Referred to Committee on Ways and Means.

There being no objection, additional sponsors were permitted on Senate Bill No. 2107.

SENATE BILL NO. 2108, by Senators Atwood, Sandison, Durkan and Gardner:

An Act relating to water rights; amending section 3, chapter 105, Laws of 1929 as amended by section 1, chapter 209, Laws of 1939 and RCW 90.16.090; and establishing an effective date.

Referred to Committee on Ways and Means.

There being no objection, additional sponsors were permitted on Senate Bill No. 2108.

SENATE BILL NO. 2109, by Senators Gardner, Atwood and Marsh: (by Legislative Budget Committee request):

An Act relating to state government; providing for advance payment of services; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 4, chapter 170, Laws of 1971 ex. sess. and RCW 43.88.160; and amending section 43.19.1925, chapter 8, Laws of 1965 and RCW 43.19.1925.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2110, by Senators Grant, Stender and Connor (by Legislative Council request):

An Act relating to the payment of arbitrators in state health care activities labor relations; and amending section 12, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.120.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2111, by Senators Stender, Greive, Connor, Dore and Marsh:

An Act relating to credit unions; amending section 3, chapter 23, Laws of 1957 as amended by section 2, chapter 180, Laws of 1967 and RCW 31.12.020; amending section

12, chapter 173, Laws of 1933 as last amended by section 4, chapter 180, Laws of 1967 and RCW 31.12.160; amending section 14, chapter 173, Laws of 1933 as last amended by section 6, chapter 180, Laws of 1967 and RCW 31.12.180; amending section 15, chapter 173, Laws of 1933 as last amended by section 3, chapter 65, Laws of 1969 and RCW 31.12.190; amending section 17, chapter 173, Laws of 1933 as last amended by section 6, chapter 23, Laws of 1957 and RCW 31.12.210; amending section 18, chapter 173, Laws of 1933 as last amended by section 5, chapter 65, Laws of 1969 and RCW 31.12.220; amending section 21, chapter 173, Laws of 1933 as last amended by section 6, chapter 65, Laws of 1969 and RCW 31.12.240; amending section 8, chapter 23, Laws of 1957 as last amended by section 7, chapter 65, Laws of 1969 and RCW 31.12.245; amending section 20, chapter 173, Laws of 1933 as last amended by section 8, chapter 65, Laws of 1969 and RCW 31.12.260; amending section 11, chapter 23, Laws of 1957 as last amended by section 9, chapter 65, Laws of 1969 and RCW 31.12.270; amending section 12, chapter 23, Laws of 1957 as last amended by section 10, chapter 65, Laws of 1969 and RCW 31.12.280; amending section 13, chapter 23, Laws of 1957 as last amended by section 13, chapter 180, Laws of 1967 and RCW 31.12.290; amending section 26, chapter 173, Laws of 1933 as last amended by section 5, chapter 213, Laws of 1947 and RCW 31.12.320; adding new sections to chapter 173, Laws of 1933 and to chapter 31.12 RCW; and creating new sections.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2112, by Senators Canfield, Keefe, Sandison and Woodall (by Joint Committee on Higher Education request):

An Act relating to the state patrol retirement system; and amending section 43.43.270, chapter 8, Laws of 1965 as amended by section 6, chapter 12, Laws of 1969 and RCW 43.43.270.

Referred to Committee on Higher Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 2112.

SENATE BILL NO. 2113, by Senators Day, Keefe and Murray:

An Act relating to health care services; establishing a hospital commission; adding a new chapter to Title 70 RCW; and defining crimes.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2114, by Senators Walgren and Herr:

An Act relating to property taxes; and amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 126, Laws of 1972 ex. sess. and RCW 84.69.020.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2115, by Senators Matson, Knoblauch and Fleming (by Legislative Council request):

An Act relating to food; adding new sections to chapter 69.04 RCW; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2116, by Senators Talley, Guess and Day:

An Act relating to community work and training programs; amending section 4, chapter 209, Laws of 1961 as amended by section 8, chapter 228, Laws of 1963 and RCW 74.04.410; and amending section 5, chapter 269, Laws of 1961 as amended by section 9, chapter 228, Laws of 1963 and RCW 74.04.420.

Referred to Committee on Local Government.

SENATE BILL NO. 2117, by Senators Day, Keefe and Murray (by Legislative Council request):

An Act relating to health and safety; and amending section 3, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.020.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2118, by Senators Gardner, Durkan and Fleming (by Asian-American Advisory Council request):

An Act relating to qualifications to teach in the common schools of the state; amending section 28A.67.035, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.035; repealing section 28A.67.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.020; providing penalties; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 2119, by Senators Sandison, Lewis (Harry), Stortini, Marsh, Gardner, Canfield, Keefe, Donohue and Talley (by Executive and Joint Committee on Higher Education request):

An Act relating to retirement plans, including old age annuities, for faculty members and other employees of institutions of higher education, public and private, and to the taxation of certain benefits accruing therefrom; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.400; amending section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.405; amending section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.410; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.415; amending section 5, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.417; amending section 28B.10.420, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.420; amending section 1, chapter 8, Laws of 1965 ex. sess. and RCW 83.20.030; repealing section 28B.50.570, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.570; repealing section 46, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.571; repealing section 47, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.572; repealing section 48, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.573; repealing section 49, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.574; repealing section 50, chapter 283, Laws of 1969 ex. sess., section 2, chapter 79, Laws of 1970 ex. sess. and RCW 28B.50.575; declaring an emergency; and making an effective date.

Referred to Committee on Higher Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 2119.

SENATE BILL NO. 2120, by Senators Sandison, Canfield, Marsh and Gardner (by Joint Committee on Higher Education request):

An Act relating to the council on higher education; and adding new sections to chapter 277, Laws of 1969 ex. sess. and to chapter 28B.80 RCW.

Referred to Committee on Higher Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 2120.

SENATE BILL NO. 2121, by Senators Rasmussen and Talley:

An Act relating to pipeline facilities; and adding a new chapter to Title 4 RCW.

Referred to Committee on Transportation and Utilities.

SENATE JOINT RESOLUTION NO. 108, by Senator Durkan:

Providing a constitutional limitation on the delegation of legislative power to administrative agencies.

Referred to Committee on Constitution and Elections.

SENATE CONCURRENT RESOLUTION NO. 104, by Senators Francis, Metcalf, Gardner and Murray (by Joint Committee on Education request):

Providing for development of a comprehensive plan for revision of the state's current school financing and distribution system.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Concurrent Resolution No. 104.

SENATE CONCURRENT RESOLUTION NO. 105, by Senators Gardner, Canfield,



Fleming and Murray (by Joint Committee on Education request):

Requesting superintendent of public instruction to submit to legislature new program for state financing of public school operations.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Concurrent Resolution No. 105.

SENATE CONCURRENT RESOLUTION NO. 106, by Senators Sandison, Canfield and Marsh (by Joint Committee on Higher Education request):

Mandating continuation of study on and recommendations respecting technological education by council on higher education.

Referred to Committee on Higher Education.

SENATE CONCURRENT RESOLUTION NO. 107, by Senators Canfield and Sandison (by Joint Committee on Higher Education request):

Providing for continuation of study for alternatives relating to community college capital funding means.

Referred to Committee on Higher Education.

SENATE CONCURRENT RESOLUTION NO. 108, by Senators Marsh, Canfield and Sandison (by Joint Committee on Higher Education request):

Continuing study by joint committee on higher education respecting reciprocity as to nonresident student fees within institutions of higher education.

Referred to Committee on Higher Education.

The Senate resumed consideration of Senate Resolution 1973-7, consideration having commenced on the previous day.

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, when we adjourned yesterday we were discussing the amendment to Rule 47. Senator Clarke had raised an issue and I think it was a very good one so we now have an amendment to the amendment by Senator Bottiger, if it is possible to present it at this time."

#### MOTION

Senator Bottiger moved adoption of the following amendment to Senate Resolution 1973-7:

Amend the first paragraph of Senate Rule 47 to read as follows:

#### "COMMITTEE REPORTS

*Rule 47.* Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form, shall carry one of the following recommendations, and shall be [signed] *adopted* [by these members of the committee subscribing thereto.] *at a regularly or specially called meeting and shall be signed by a majority of the committee.*"

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Walgren yield to a question? Senator Walgren, would this mean that a committee chairman could call a meeting and attend the meeting himself only and then circulate a bill or is it your intent that a majority of the committee should meet at such a meeting as Reed's Rules describe?"

Senator Walgren: "Of course, Senator Lewis, there would not be any prohibition upon a committee chairman calling a meeting and having as many committee members as possible in attendance. The opportunity of a particular member of a committee to call for a quorum

is still available and would have to be honored by the committee chairman if such was done."

Senator Lewis (Harry): "I think that answers my question. Thank you."

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, I would like to explain this. I do not think we intend to put anything over on the minority. The effort here was to stop the passing around of bills on the floor and Senator Clarke raised a good issue. I think this amendment does what we intended to do, Senator Lewis, when we were sitting in the leadership meeting and compromised on this. It will mean that action will have to be taken in a committee before you can pass a report out. If they raise a question of quorum in a committee I judge that meeting would not be a special or it would not be a regular meeting, that is a sure thing. You would have to take the action in a meeting with a quorum, if the question of a quorum was raised. Remember, the majority still has the upper hand because if we came to a meeting and we could not get a quorum there we would just come on the floor and call a special meeting and see a quorum was there. The point here is to clarify the issue Senator Clarke raised yesterday which we think may have caused some confusion a little later in the session."

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Bailey yield? There is no meeting notice provision in this amendment. Is it possible the way this is written for the chairman to call a meeting and without notice. Then no one could raise the question of a quorum in accordance with Reed's Rules and a bill could be flying around here being signed. Shouldn't it have a notice provision?"

Senator Walgren: "I recognize, Senator Atwood, that that is certainly a possibility and has been the possibility and perhaps the practice on some occasions here in the past. I think it is understood that it is the desire of the minority here and certainly the majority to avoid that in all possible instances. So I think that you would agree that there are occasions when some speed is required in having a meeting and considering important measures that are before this body. And consequently while the practice might be avoided just as much as possible I think quite likely that the chairman should have this prerogative to take emergent action when required."

#### POINT OF INQUIRY

Senator Whetzel: "Will Senator Bailey yield? Senator Bailey, in this proposal it says that the bill shall be adopted at a regular or specially called meeting. I think there is some confusion as to how many members of the committee have to be present to adopt and I wonder if you would say whether you mean it must be adopted by a majority of the full membership of the committee, a majority of a quorum of the committee, which quorum consists of a majority, or a majority of the committee members present."

Senator Bailey: "Senator Whetzel, I think I am correct in saying that in the past, I see no reason why it should not hold true in the future, that if a quorum is present when a majority votes on a bill, the bill is then, if it can get a majority of the whole committee, is out on the floor. Our effort here is the same thing Senator Clarke raised yesterday and that is not to go the full gamut the first time. We would like now to force at least an action of the committee in meeting before any bill can be passed around. You know we have had in the past a large number of bills that have never been heard in committee that come out in front of you with a report form, and this we are trying to discourage in one step. If it works out all right that is enough. If it does not work out all right, the next time I think we will be around to saying you have to be in committee and vote on it before it comes out. That was their original proposal on the Republican side, to require no passing around of any report. We then realized it had several handicaps and we decided that maybe if we could take this one step we would at least make a step in the right direction and see how it works out this session."

## POINT OF INQUIRY

Senator Whetzel: "Will Senator Bailey yield again? Senator Bailey, I am not trying to belabor this. I am in agreement with the remarks of Senators Clarke and Day, that this is an improvement and we are not trying to shackle people. I am just trying to clear up some ambiguities at this stage in adopting it so that the members will clearly understand what we are doing. I would like to raise a question as the understanding of the words 'specially called.' Does that mean called in some special manner rather than a regular calling of a meeting, that is possibly an irregular calling of a meeting, or does it simply refer to a meeting with relatively short notice such as we give notice on the floor of a committee meeting and advise the members of the bill that will be presented at the meeting? In other words, when we say 'specially called' meeting, we are referring to a special meeting rather than the method that it is called would be called in some unusual manner that is not provided for in the rules."

Senator Bailey: "Senator Whetzel, I might go back and point out that the Republican proposal at first just mentioned regular meetings. We discussed this and were a little fearful that this would mean a meeting that was on the schedule—you know we are trying to schedule every meeting at a certain time. We were fearful this would mean a meeting that was on the schedule only and that in the event we had some emergency come up toward the end of the session, this could be construed as meaning that we would have to wait until that regularly called meeting would be set. So without the thought in mind of any skulduggery, we decided that maybe it would not hurt anything to add 'specially called.' Now back to Senator Atwood's question, would this mean that we could hold a meeting without notifying all members? I never recall in the history of the Senate where a committee chairman has called a meeting and only notified one side. I think that we have always called every member. If it is specially called from the floor, every member has a right to hear it. If it is called by a notice, every member gets that notice. And I certainly would want to assure you the majority has no thought like that in mind, but we would not want to shackle ourselves by a ruling later that we had to wait to go to a regular meeting which might be construed as being one that is on the calendar only and maybe have to wait two or three days for it."

The motion by Senator Bottiger carried and the amendment to Senate Resolution 1973-7 was adopted.

## MOTIONS

On motion of Senator Bailey, the amendment to Rule 58 as proposed in Senate Resolution 1973-7 was adopted.

On motion of Senator Mardesich, the following amendment as proposed in Senate Resolution 1973-7 was adopted:

"Amend Rules 61, 67, 69, 70 and 73 by deleting "and joint rules" wherever it may appear in the rule."

Senator Clarke moved adoption of the following amendment to Senate Resolution 1973-7:

Amend the amendments to the Senate Rules by insertion of the following:

Amend the sixth paragraph of Rule 46 on page 286 of the 1971 Legislative Manual to read as follows:

"No vote in any standing committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee. *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.*"

## POINT OF INQUIRY

Senator Ridder: "Is there any provision here for the calling of a meeting such as was called the other day for implementing of the special school levy voting that we had to get

out in a certain record piece of time? Is there any way that such things as this could be taken care of because you are going to hamstring yourself if there is not some provision?"

Senator Clarke: "Senator, I think that I actually answered that in my opening statement to the effect that all it requires is that the bill be on the written notice for the committee meetings. There is no requirement whatsoever as to the length of time that there must be between the giving of the written notice and the holding of the committee meeting. So I would assume under a situation of this kind that there would be a circulation of the notice just as, for instance, this particular amendment is. When I put it on the desk it is immediately reproduced and given to the members. That could constitute a written notice of the committee meeting and I see no reason at all why there could not be an emergency handling."

The motion by Senator Clarke was lost and the amendment to Senate Resolution 1973-7 was not adopted on a rising vote.

#### MOTION

Senator Washington moved adoption of the following amendment to Senate Resolution 1973-7 by Senators Washington, Greive, Connor, Ridder and Stortini:

Amend Rule 46, under the heading "Rules Committee Daily Calendar" by adding the following paragraph:

*"The rules committee of the senate shall publish before four o'clock p.m. of each day an agenda of the bills which will be considered by that committee on the next following legislative day."*

Debate ensued.

Senators Herr, Talley and Guess demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senators Washington, Greive, Connor, Ridder and Stortini to Senate Resolution 1973-7.

The motion by Senator Washington failed and the amendment to Senate Resolution 1973-7 was not adopted.

#### MOTION

Senator Stender moved adoption of the following amendment to Senate Resolution 1973-7:

Amend the amendments to Senate Rules by inserting the following:

On page 287 of the 1971 Legislative Manual add a new paragraph to Rule 46 as follows:

*"QUORUM REQUIRED—No committee shall transact any business absent a quorum. A majority of any committee shall constitute a quorum."*

#### MOTION

Senator Whetzel moved adoption of the following amendment to the amendment by Senator Stender to Senate Resolution 1973-7:

After "*constitute a quorum.*" at the end of the Stender amendment, insert "*A quorum is presumed to be present, even if the vote does not indicate it, if no member raises the question.*"

Debate ensued.

Senators Herr, Day and Fleming demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Whetzel to the amendment by Senator Stender.

The motion by Senator Whetzel failed and the amendment to the amendment was not adopted.

The motion by Senator Stender failed and the amendment to Senate Resolution 1973-7 was not adopted.

## MOTION

At 12:05 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:00 p.m.  
The Senate resumed consideration of Senate Resolution 1973-7.

## MOTION

Senator Whetzel moved adoption of the following amendment to Senate Resolution 1973-7:

On page 4 amend Rule 58 by adding a new paragraph as follows:

*"A member or members of the House of Representatives may join in sponsoring a senate bill, resolution, or memorial endorsed by a senator as the principal sponsor."*

## MOTION

On motion of Senator Talley, the amendment to Senate Resolution 1973-7 was laid upon the table.

Senator Lewis (Harry) moved adoption of the following amendment to Senate Resolution 1973-7:

Strike the amendment to Rule 73 adopted January 8, 1972, and insert as Rule 73:

**"VOTE RECORD OF STANDING COMMITTEES"**

*Rule 73.* On any vote in a standing committee one-sixth of the members of such committee may demand that the vote be recorded and filed with the Secretary of the Senate, who shall preserve such record for a period of four years."

## PERSONAL PRIVILEGE

Senator Bailey: "After listening to the explanation, I have no great objection to the two-member concept. I do not see any great harm in it, Senator Talley. I wanted to make that clear. There is one question we are arguing over here about the number and Senator Mardesich wanted to ask a question but if that question is answered, all right. I have no objection to going along with the amendment."

## POINT OF INQUIRY

Senator Mardesich: "Senator Lewis, we have most of our committees with seven members and one-sixth of seven is 1.15. Does that mean two and is it to be the understanding that it should be two and if it is, why don't we put two?"

"We cannot do that because we have varying sizes. If it is an understanding that if it is the greater portion of the fraction then I would be perfectly willing to accede to this, but I think that if you just leave it up to one man you can get the situation where someone becomes upset because his bill is not passing and then you get into the delaying type tactics and all that sort of thing, and if you would make it clear that that is what the situation is for the record, then I think the majority could go along with this amendment."

Senator Lewis (Harry): "Senator Mardesich, in response to your question our mathematicians calculated that out carefully and that was the specific intent, that in a seven man committee we would require the additional percentage of the fraction, it would require two members to demand the vote."

The motion by Senator Lewis (Harry) carried and the amendment to Senate Resolution 1973-7 was adopted.

## MOTION

Senator Stortini moved adoption of the following amendment by Senators Stortini, Greive, Connor and Ridder to Senate Resolution 1973-7:

There is added to the Senate Rules a new rule to read as follows:

*"Rule* . The chairman of each senate committee shall keep a written public record of the attendance of committee members at each committee meeting. Any member of a committee shall have the privilege to resign his membership on any committee by presenting to the chairman of that committee a signed written letter of resignation. The resignation shall be effective upon receipt by the chairman."

Senator Herr moved adoption of the following amendment to the amendment by Senators Stortini, Greive, Connor and Ridder to Senate Resolution 1973-7:

After "chairman." at the end of the amendment, add the following: "Members may be excused by a vote of a majority of the committee members present."

## MOTIONS

On motion of Senator Walgren, the amendment by Senator Herr to the amendment by Senators Stortini, Greive, Connor and Ridder was laid upon the table.

Senator Walgren moved that the amendment to Senate Resolution 1973-7 be laid upon the table.

Senator Stortini demanded a roll call and the demand was sustained by Senators Woody, Talley, Donohue, Bailey, Ridder, Herr, Metcalf, Durkan and Bottiger.

## ROLL CALL

The Secretary called the roll and the amendment by Senators Stortini, Greive, Connor and Ridder to Senate Resolution 1973-7 was laid upon the table by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Talley, Twigg, Walgren, Woodall, Woody—29.

Voting nay: Senators Atwood, Connor, Dore, Greive, Herr, Jones, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Ridder, Scott, Sellar, Stender, Stortini, Van Hollebeke, Wanamaker, Washington, Whetzel—20.

## PERSONAL PRIVILEGE

Senator Francis: "I voted aye on this motion to table but I hope that the members will be somewhat cautious in the use of this kind of a motion. I feel that there were many reasons for voting down that amendment that were not advanced and that is because of the lack of thorough debate and I feel that these matters are very important and I think you will all agree that they are important and I think that it is important that we have thorough debate on these issues as they are coming before us. And I hope that there will be very cautious and conscientious use of motions which cut off debate."

## MOTION

Senator Greive moved adoption of the following amendment by Senators Greive, Connor, Washington and Ridder to Senate Resolution 1973-7:

There is added to the Senate Rules a new rule to read as follows:

*"Rule* Every senator who is a lawyer, insurance broker, real estate appraiser, accountant or other professional, and who individually or whose firm has a client which is a person, corporation, partnership, joint venture, union, association or other entity regulated by the state, shall publish a schedule of fees charged such client and state the amount of time spent performing the work during the twenty-four months immediately preceding the first day of a legislative session."

Debate ensued.

Senator Woodall: "I suggest the reading of the last word."

President Pro Tempore Henry: "If no objection, the Secretary will read the last word."

Senator Greive: "I object."

#### MOTION

Senator Woodall: "I move that the Secretary be directed to read the last word."

Senator Greive demanded a roll call and the demand was not sustained.

The motion by Senator Woodall carried.

#### POINT OF INQUIRY

Senator Francis: "Would Senator Atwood yield? Senator Atwood, as you read this proposed rule of Senator Greive's, if a tavern owner who is regulated by the state came to your office and asked for help in writing a lease or asked you to represent him in a personal injury suit, would you have to report what you charged him for doing that work?"

Senator Atwood: "I do not believe that that is the way this rule reads but it states, as I read it, that you have to publish your list of fees. Well, I guess it is possible to read that way but may I say in response to that I do not think that . . . it is possible to interpret it that way. I do not think that that is a correct interpretation. I do not know what Senator Greive had in mind. I will say this. I think we have been debating rules and procedure here and this properly belongs in the code of ethics type of legislation and not in our rules and procedure, but that is just my personal opinion."

#### POINT OF INQUIRY

Senator Bailey: "Will Senator Greive yield? Senator Greive, two questions. Does this change in any way the face of Initiative 276?"

Senator Greive: "No, it does not. I am perfectly willing to have it put down the calendar some and work out the problem that Senator Francis has in mind."

Senator Bailey: "Senator Greive, does this cover the attorney that takes the claims cases against the Labor and Industries and takes out of the poor worker's salary one-third of the claim that he has coming in the first place and has to go to an attorney for?"

Senator Greive: "Yes."

Senator Bailey: "You would have to report your fees and lay them on the table?"

Senator Greive: "Yes."

#### MOTION

Senator Greive moved that further consideration of the amendment by Senators Greive, Connor, Washington and Ridder to Senate Resolution 1973-7 be placed at the end of the consideration of the resolution today.

The motion by Senator Greive carried and further consideration of the amendment will be had at the end of consideration of Senate Resolution 1973-7.

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "I would also like to explain, if I may, the reason I am presiding this afternoon. I presume some of you know that some ribbon clerk connected with the SCC decided that it was more feasible to subpoena three well known public servants in the state of Washington than to ask them to appear. So Lieutenant Governor Cherberg is in Seattle."

## MOTION

Senator Greive moved adoption of the following amendment by Senators Greive, Washington, Connor, Ridder and Stortini to Senate Resolution 1973-7:

There is added to the Senate Rules a new rule to read as follows:

*“Rule . . . Every senator shall disclose the provisions of any contract between the state, its agencies or any of its political subdivisions and any employer from which he receives an annual compensation of fifteen hundred dollars or more.”*

## POINT OF INQUIRY

Senator Woodall: “Will Senator Greive yield to a question? Senator Greive, isn’t that the law now? We have to file annually any retainers, I only have one. I am kind of embarrassed that I only have one to file. What is new about this rule?”

Senator Greive: “When you see the amendment you will soon see.”

## MOTION

Senator Francis moved adoption of the following amendment to the amendment by Senators Greive, Connor, Washington and Ridder to Senate Resolution 1973-7:

On line 3 of the amendment, after “he” and before “receives” insert “or his spouse or his business partner”

## MOTION

Senator Walgren moved that the amendment by Senator Francis to the amendment by Senators Greive, Ridder, Connor and Washington to Senate Resolution 1973-7 be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Washington, Stortini, Stender, Whetzel, Dore, Knoblauch, Metcalf and Ridder.

## ROLL CALL

The Secretary called the roll and the amendment by Senator Francis to the amendment by Senators Greive, Ridder, Connor and Washington was laid upon the table by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Sellar, Stender, Twigg, Van Hollebeke, Walgren, Woodall, Woody—29.

Voting nay: Senators Connor, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Metcalf, Murray, Peterson (Ted), Ridder, Scott, Stortini, Talley, Wanamaker, Washington, Whetzel—20.

## MOTION

Senator Mardesich moved that the amendment by Senators Greive, Ridder, Connor and Washington to Senate Resolution 1973-7 be laid upon the table.

There being no objection, the amendment was withdrawn by Senator Greive.

## MOTION

Senator Greive moved adoption of the following amendment by Senators Greive, Ridder, Connor and Washington to Senate Resolution 1973-7:

There is added to the Senate Rules a new rule to read as follows:

*“Rule . . . No senator shall accept lodging or travel provided by a lobbyist, or allow a lobbyist to pay bills for travel and lodging which, over a twenty-four month period, total more than one hundred dollars in value:*



PROVIDED, This rule shall not apply where such traveling and lodging is received by the senator in pursuing an occupation other than that of legislator."

#### POINT OF INQUIRY

Senator Donohue: "Would Senator Greive yield? Senator, you have made it very plain that you have been in favor of Initiative 276 which passed the people. In the body of the initiative there is a section that gave the commission that will be appointed by the Governor the right to make rules and regulations. Could we not assume then that the commission will in fact make rules and regulations that perhaps would cover exactly what you are trying to do by putting this into rules?"

Senator Greive: "I am sure that if we pass this amendment and it is placed before the commission and they know that one of the bodies of state government is doing it, it will be a very persuasive force in getting them to adopt it for others."

#### MOTION

Senator Walgren moved that the amendment by Senators Greive, Ridder, Connor and Washington to Senate Resolution 1973-7 be laid upon the table.

Senator Greive demanded a roll call and the demand was not sustained.

The motion by Senator Walgren carried and the amendment was laid upon the table.

#### MOTION

Senator Greive moved adoption of the following amendment by Senators Greive, Connor, Ridder and Washington to Senate Resolution 1973-7:

There is added to the Senate Rules a new rule to read as follows:

*Rule* . Every senator shall disclose the provisions of any contract between the state, or any of its political subdivisions and himself, any partnership, trust, or joint venture in which he has a ten percent financial interest or any corporation in which he holds ten percent of the outstanding shares of stock."

Senator Greive demanded a roll call and the demand was not sustained.

The amendment by Senators Greive, Connor, Ridder and Washington to Senate Resolution 1973-7 was not adopted on a rising vote.

#### MOTION

Senator Metcalf moved adoption of the following amendment to Senate Resolution 1973-7:

Amend Rule 46, page 287, Legislative Manual, by adding a new paragraph as follows:  
"QUORUM REQUIRED

Committees shall be considered to have a quorum present unless the question is raised. No committee shall transact official business absent a quorum. A majority of any committee shall constitute a quorum."

#### POINT OF ORDER

Senator Bailey: "I raise the point of order that we considered the same issue this morning. Isn't this the same issue basically the Senate voted down this morning. At that it is clearer exactly what you intended this morning. What I am getting at is that this morning we discussed this very thing. Senator Woodall discussed the matter of people coming into a hearing and here we are bound by not even being able to hear these people appearing before the committee because somebody can say there is not a quorum of the committee present. This is not exactly an advancement in legislative procedure. I would say it would be good if everybody was there but why penalize the people that come from Spokane or some other place just because some member is busy talking to a school group or something of that sort."

Senator Atwood: "There are no rules of this Senate at this time and the majority rules. And I do not think that his point of order is well taken."

#### POINT OF INQUIRY

Senator Day: "Will Senator Metcalf yield? Senator, the way I read this it says, 'Committees shall be considered to have a quorum present unless the question is raised.' And then it continues in a new sentence to say, 'No committee shall,' which is mandatory, 'transact official business absent a quorum.' Now it does not say when the question has to be raised. Let us say that my committee meets and instead of thirteen people this particular day there is a snow storm and there are only six, or seven there which is absent a quorum. No one raises the question. And then pursuant to that meeting someone does raise the question. Then what happens?"

Senator Metcalf: "Senator Day, I would have to defer to the attorneys present as to specifically answering that question. If the wording is faulty and I do not believe it is, not being an attorney—I do not believe the wording is faulty—but I would defer to an attorney on the floor who might wish to change the wording if the wording is faulty."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Senator Bailey, your point of order is not well taken."

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Metcalf yield? Senator Metcalf, what is your intended definition of official business?"

Senator Metcalf: "My view of official business is an official vote. That would be the way I would view it. Again, I think that that would be a matter to define here. If anyone wishes to try another definition they can go ahead on it. I thought that official business would give us the flexibility that we need in cases of a hearing or discussion and so forth."

Senator Odegaard: "One other question, Senator. What, you say a majority of any committee shall constitute a quorum. Is that a majority of the committee present or the full committee membership?"

Senator Metcalf: "A numerical majority of the total committee. More than half."

#### POINT OF INFORMATION

Senator Stender: "Mr. President, I would like to have the President or the Parliamentarian or the Secretary make a judgment on whether or not Reed's Rules, specifically Rule 12, applies to committee meetings of the Senate, standing committee meetings of the Senate."

#### REMARKS BY SENATOR WOODALL

Senator Woodall: "Number one, of course, until we adopt our own rules and refer to Reed's Rules, then Reed's Rules has nothing to do with us. And of course at this juncture we have not adopted any Senate rules and we have not at this stage of the proceedings for this session referred to Reed's Rules. Reed's Rules do not apply to us now. They did last time. They do not apply to us now until we adopt something that says Reed's apply to us. After that they would."

#### REMARKS BY SENATOR GREIVE

Senator Greive: "With Senator Stender's permission, I would like to rephrase his question and to say that if we adopt the rules as presently before us, namely Rule 36 which makes Reed's Rules govern, would this apply? Would that be all right, Senator?"

Senator Stender: "That was my intent, Senator. Thank you."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Rule 12 of Reed's says, 'Where a body is a representative one, performing the functions of government for a constituency or a final one managing the business of a corporation which selected it, the quorum is a majority and can neither be increased nor diminished by a vote of the body. City councils, boards of directors are of this class.' So I would presume Reed's Rules, if and when adopted, if we ever get through with this debacle or whatever you want to call it, would apply."

## MOTION

Senator Whetzel moved adoption of the following amendment to the amendment by Senator Metcalf to Senate Resolution 1973-7:

After "quorum" and before the period, insert "except to conduct a hearing"

## MOTION

On motion of Senator Scott, Senator Peterson (Ted) was excused.

Senator Newschwander demanded a roll call on the amendment by Senator Whetzel to the amendment by Senator Metcalf to Senate Resolution 1973-7 and the demand was sustained by Senators Lewis (Harry), Sellar, Scott, Ridder, Greive, Clarke, Metcalf, Whetzel and Herr.

## POINT OF INQUIRY

Senator Mardesich: "Senator Newschwander, is your request to the amendment to the amendment itself or to the full amendment, the original amendment?"

Senator Newschwander: "The amendment to the amendment by Senator Whetzel."

Senator Mardesich: "You want a roll call with respect to this?"

Senator Newschwander: "Yes."

## ROLL CALL

The Secretary called the roll and the amendment by Senator Whetzel to the amendment by Senator Metcalf to Senate Resolution 1973-7 was adopted by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senators Francis, Herr—2.

Excused: Senator Peterson (Ted)—1.

## PERSONAL PRIVILEGE

Senator Bailey: "My point is this, as a member of this body, as the chairman of the majority caucus, I think we should clarify on the record the fact that this last rule need not be a rule to give the minority a chance to stymie all actions of committees because if this is done we will come on the floor and recess if necessary under guard and see to it that a quorum of a committee is present for a meeting. I just want it clear that we do not intend in any way to have one or two members hold up the whole proceedings of the Senate during this session."

Senator Newschwander demanded a roll call on the amendment by Senator Metcalf as amended by Senator Whetzel and the demand was sustained by Senators Stender, Scott, Whetzel, Greive, Canfield, Murray, Sellar, Clarke and Ridder.

## ROLL CALL

The Secretary called the roll and the amendment by Senator Metcalf, as amended by Senator Whetzel, to Senate Resolution 1973-7 was adopted by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Durkan, Fleming, Francis, Gardner, Greive, Guess, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall—36.

Voting nay: Senators Day, Donohue, Dore, Grant, Henry, Jolly, Odegaard, Peterson (Lowell), Rasmussen, Talley, Washington, Woody—12.

Excused: Senator Peterson (Ted)—1.

The time having arrived, the Senate resumed consideration of the amendment by Senators Greive, Connor, Washington and Ridder to Senate Resolution 1973-7 which had previously been moved for adoption by Senator Greive.

## MOTION

Senator Mardesich moved that the amendment by Senators Greive, Connor, Washington and Ridder to Senate Resolution 1973-7 be laid upon the table.

Senator Ridder demanded a roll call and the demand was not sustained.

The motion by Senator Mardesich carried and the amendment was laid upon the table.

President Pro Tempore Henry declared the question before the Senate to be the adoption of Senate Resolution 1973-7, as amended.

The motion by Senator Bailey carried and Senate Resolution 1973-7, as amended, was adopted.

## MOTION

At 4:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Monday, January 15, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, January 15, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Connor, Dore, Keefe and Woodall. On motion of Senator Lewis (Harry), Senator Woodall was excused. There being no objection, Senators Connor, Dore and Keefe were excused.

The Color Guard, consisting of Pages Kenneth Orton and Sharon Colwell, presented the Colors. Reverend Paul McCann, associate pastor of United Churches of Olympia, offered the following prayer:

“OUR FATHER AND OUR GOD, WHO GUIDES YOUR PEOPLE IN HOPE AND JUDGES US IN JUSTICE, WE ASK YOUR PRESENCE WITH US THIS DAY. OPEN OUR EARS TO THE NEEDS AND CRIES OF YOUR CHILDREN AND LIFT THE SCALES FROM OUR EYES THAT WE MIGHT SEE GREATER VISIONS OF YOUR KINGDOM OF PEACE AND WHOLENESS AND TRUTH. LET US NOT BECOME MIRED IN THE PETTY, ARTIFICIAL DIFFERENCES WHICH DIVIDE US, BUT LET US BE INSPIRED BY THE WEIGHTIER MATTERS OF THE LAW, LOVE, MERCY AND JUSTICE. AND LORD, WE REMEMBER TODAY YOUR SERVANT AND PROPHET MARTIN LUTHER KING. WE RECALL YOUR ANCIENT TRUTHS WHICH HE MADE SO REAL AND PRESENT FOR US AND OUR SOCIETY. GIVE US THE COURAGE THAT WE MIGHT STAND WITH HIM AGAINST THE OPPRESSION OF THE POOR AND THE KILLING OF THOSE WHO ARE DIFFERENT FROM OURSELVES. INSPIRE US WITH HIS DREAMS THAT WE MIGHT CARRY ON HIS WORK OF WIPING PREJUDICE AND VIOLENCE FROM OUR LAND AND BRINGING THE DAY OF PEACE AND JUSTICE. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### MESSAGE FROM THE HOUSE

January 12, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 3, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 3.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2122, by Senator Rasmussen:

An Act relating to urban renewal; requiring approval of urban renewal projects by a vote of the people; and amending sections 35.81.060, 35.81.070, 35.81.090, 35.81.130 and 35.81.150, chapter 7, Laws of 1965 and RCW 35.81.060, 35.81.070, 35.81.090, 35.81.130 and 35.81.150.

Referred to Committee on Local Government.

SENATE BILL NO. 2123, by Senators Rasmussen, Newschwander, Knoblauch, Bottiger and Stortini:

An Act relating to highways; directing construction of a Naches Pass tunnel; adding new sections to Title 47 RCW; and declaring an emergency.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2124, by Senators Murray and Washington (by Department of Motor Vehicles request):

An Act relating to motor vehicles; amending section 3, chapter 1, Laws of 1969 and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515; repealing section 61, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.510; and prescribing penalties.

## MOTION

Senator Francis moved that Senate Bill No. 2124 be referred to the Judiciary Committee.

Debate ensued.

The motion failed on a rising vote and Senate Bill No. 2124 was referred to the Committee on Transportation and Utilities.

SENATE BILL NO. 2125, by Senators Talley, Odegaard and Woodall (by Legislative Council request):

An Act relating to furloughs for prisoners; amending section 10, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.745; amending section 2, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.010; adding new sections to chapter 58, Laws of 1971 ex. sess. and to chapter 72.66 RCW; repealing section 3, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.020; repealing section 4, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.030; and repealing section 5, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.040.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2126, by Senators Talley, Odegaard and Woodall (by Legislative Council request):

An Act relating to liability for damages caused by prisoners on furlough or work release; amending section 1, chapter 72, Laws of 1972 ex. sess. and RCW 72.66.100; and adding a new section to chapter 17, Laws of 1967 and to chapter 72.65 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2127, by Senators Guess, Connor and Woodall:

An Act relating to employment agencies; and amending section 17, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.170.

Referred to Committee on Commerce.

SENATE BILL NO. 2128, by Senators Rasmussen, Newschwander, Knoblauch, Bottiger and Stortini:

An Act relating to the state canal commission; and making an appropriation.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2131, by Senators Murray, Gardner, Newschwander, Bottiger and Ridder:

An Act relating to school holidays, including programs suitable thereto; amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061; repealing section 28A.02.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.02.060; and repealing section 12, chapter 15, Laws of 1970 ex. sess. and RCW 28A.02.070.

Referred to Committee on Education.

SENATE BILL NO. 2132, by Senators Murray, Fleming and Bottiger:

An Act relating to criminal justice; creating a new chapter in Title 43 RCW; creating new sections; repealing section 1, chapter 158, Laws of 1965 and RCW 43.100.010; repealing section 2, chapter 158, Laws of 1965 and RCW 43.100.020; repealing section 3, chapter 158, Laws of 1965, section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030; repealing section 4, chapter 158, Laws of 1965 and RCW 43.100.040; repealing section 5, chapter 158, Laws of 1965 and RCW 43.100.050; repealing section 6, chapter 158, Laws of 1965 and RCW 43.100.060; repealing section 7, chapter 158, Laws of 1965 and RCW 43.100.070; repealing section 8, chapter 158, Laws of 1965, section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080; repealing section 3, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.085; repealing section 9, chapter 158, Laws of 1965 and RCW 43.100.090; repealing section 10, chapter 158, Laws of 1965 and RCW 43.100.100; repealing section 11, chapter 158, Laws of 1965 and RCW 43.100.110; repealing section 12, chapter 158, Laws of 1965 and RCW 43.100.120; repealing section 13, chapter 158, Laws of 1965 and RCW 43.100.130; repealing section 14, chapter 158, Laws of 1965 and RCW 43.100.140; repealing section 15, chapter 158, Laws of 1965 and RCW 43.100.150; repealing section 17, chapter 158, Laws of 1965 and RCW 43.100.160; repealing section 18, chapter 158, Laws of 1965 and RCW 43.100.170; repealing section 20, chapter 158, Laws of 1965 and RCW 43.100.900; repealing section 21, chapter 158, Laws of 1965 and RCW 43.100.910; and making appropriations.

#### MOTION

Senator Fleming moved that Senate Bill No. 2132 be referred to the Committee on Local Government.

Debate ensued.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Fleming yield to a question? Senator Fleming, is this not the bill that cleared the Legislative Council? Did we strip the appropriation in that or what is the condition of the bill in this regard?"

Senator Fleming: "It is the bill that cleared the Legislative Council, but in terms of the appropriation I think the prime sponsor should talk to you about that, Senator Murray."

Senator Murray: "Just to keep the record straight, the Legislative Council action was twelve to four in favor of the bill. However, it needed sixteen votes and therefore did not pass the full Legislative Council. From the standpoint of the last motion made at the time the appropriation was stripped off the bill. However, the bill as it came out of committee and as now introduced does have an appropriation. That is subject to amendment when we have more exact figures."

The motion by Senator Fleming failed on a rising vote. Senate Bill No. 2132 was referred to the Committee on State Government.

SENATE BILL NO. 2133, by Senators Odegaard, Whetzel, Donohue, Talley and Lewis (Harry):

An Act relating to revenue and taxation; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; and declaring an emergency and prescribing an effective date.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Odegaard, the rules were suspended and the names of Senators Talley and Lewis (Harry) were permitted as additional sponsors to Senate Bill No. 2133.

SENATE BILL NO. 2134, by Senators Peterson (Lowell), Twigg and Bailey (by Insurance Commissioner request):

An Act relating to insurance; adding new sections to Title 48 RCW as a new chapter thereof; and making an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2135, by Senators Francis, Ridder and Scott:

An Act relating to public employment; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.030; amending section 13, chapter 274, Laws of 1947 as last amended by section 4, chapter 271, Laws of 1971 ex. sess. and RCW 41.40.120; and adding a new section to chapter 41.26 RCW.

Referred to Committee on Higher Education.

SENATE BILL NO. 2136, by Senators Wanamaker, Guess and Washington (by Legislative Transportation Committee request):

An Act relating to the highway commission; amending section 47.01.160, chapter 13, Laws of 1961 as last amended by section 1, chapter 115, Laws of 1971 ex. sess. and RCW 47.01.160; amending section 47.01.220, chapter 13, Laws of 1961 and RCW 47.01.220; amending section 3, chapter 173, Laws of 1963 as last amended by section 3, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.030; amending section 4, chapter 173, Laws of 1963 as amended by section 4, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.040; amending section 5, chapter 173, Laws of 1963 as amended by section 5, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.050; amending section 7, chapter 173, Laws of 1963 and RCW 47.05.070; adding a new section to chapter 47.01 RCW repealing section 47.01.140; chapter 13, Laws of 1961 and RCW 47.01.140; repealing section 6, chapter 173, Laws of 1963 and RCW 47.05.060; and repealing section 8, chapter 173, Laws of 1963, section 6, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.080.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2137, by Senators Francis, Bottiger and Atwood:

An Act relating to interests passing by will, trust instrument, intestate succession or under powers of appointment; and adding new sections to chapter 145, Laws of 1965 and to Title 11 RCW as a new chapter.

Referred to Judiciary Committee.

SENATE BILL NO. 2138, by Senators Francis and Dore:

An Act relating to cities and towns; altering the jurisdiction of municipal courts; amending section 35.20.030, chapter 7, Laws of 1965 and RCW 35.20.030; amending section 35.20.090; chapter 7, Laws of 1965 as amended by section 8, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.090; amending section 35.20.250, chapter 7, Laws of 1965 as amended by section 7, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.250; repealing section 35.20.040, chapter 7, Laws of 1965 and RCW 35.20.040; repealing section 35.20.050, chapter 7, Laws of 1965 and RCW 35.20.050; repealing section 35.20.060, chapter 7, Laws of 1965 and RCW 35.20.060; and repealing section 35.20.070, chapter 7, Laws of 1965, section 88, chapter 81, Laws of 1971 and RCW 35.20.070.



Referred to Judiciary Committee.

SENATE BILL NO. 2139, by Senators Bottiger and Woodall (by Attorney General request):

An Act relating to camping clubs; and adding a new section to chapter 19.105 RCW.  
Referred to Committee on Commerce.

SENATE BILL NO. 2140, by Senator Francis:

An Act relating to the judiciary; amending section 2, chapter 40, Laws of 1963 and RCW 2.04.250; and amending section 11, page 343, Laws of 1890 as last amended by section 6, chapter 81, Laws of 1971 and RCW 2.08.180.

Referred to the Judiciary Committee.

SENATE BILL NO. 2141, by Senators Francis, Murray, Grant and Ridder:

An Act relating to state jurisdiction over Indian hunting and fishing rights; and adding a new section to chapter 37.12 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2142, by Senators Bottiger, Jolly and Ridder:

An Act relating to revenue and taxation; increasing the authorized property tax millage for fire protection districts; eliminating the library property tax millage; amending section 8, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 1, chapter 105, Laws of 1971 ex. sess. and RCW 52.16.130; repealing section 5, chapter 59, Laws of 1955 and RCW 27.12.050; repealing section 7, chapter 75, Laws of 1947, section 8, chapter 59, Laws of 1955 and RCW 27.12.150; and repealing section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063.

Referred to Committee on Local Government.

SENATE BILL NO. 2143, by Senators Atwood, Day, Odegaard and Canfield:

An Act relating to county government; providing for initiative and referendum; and adding a new chapter to Title 36 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2144, by Senators Durkan, Sandison, Twigg, Gardner, Sellar and Matson (by Municipal Committee request):

An Act relating to private communications between two or more persons; adding new sections to chapter 9.73 RCW; repealing section 1, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.030; repealing section 2, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.040; repealing section 3, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.050; repealing section 4, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.060; repealing section 5, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.070; repealing section 6, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.080; repealing section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.090; repealing section 2, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.100; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2145, by Senators Walgren, Twigg, Gardner, Sellar and Odegaard (by Municipal Committee request):

An Act relating to bingo and raffles; creating the Washington state bingo and raffle commission; defining crimes; adding a new chapter to Title 9 RCW; repealing section 1, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.300; repealing section 2, chapter 280, Laws of 1971 ex. sess., section 1, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.310; repealing section 3, chapter 280, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.320; repealing section 4, chapter 280, Laws of 1971 ex. sess., section 3, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.330; repealing section 5, chapter 280, Laws of 1971 ex. sess., section 4, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.340; repealing section 6, chapter 280, Laws of 1971 ex. sess., section 5, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.350; repealing section 7, chapter 280, Laws of

1971 ex. sess. and RCW 9.47.360; repealing section 8, chapter 280, Laws of 1971 ex. sess., section 6, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.370; repealing section 11, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.390; repealing section 16, chapter 280, Laws of 1971 ex. sess., section 7, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.400; repealing section 18, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.410; repealing section 19, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.420; repealing section 20, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.430; repealing section 25, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.440; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020; repealing section 214, chapter 249, Laws of 1909 and RCW 9.59.030; repealing section 215, chapter 249, Laws of 1909 and RCW 9.59.040; repealing section 216, chapter 249, Laws of 1909 and RCW 9.49.050; and prescribing penalties.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Walgren, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2145.

SENATE BILL NO 2146, by Senators Gardner, Sellar, Walgren and Twigg (by Municipal Committee request):

An Act relating to the Washington state patrol; and amending section 43.43.020, chapter 8, Laws of 1965 and RCW 43.43.020.

Referred to Committee on State Government.

SENATE BILL NO. 2147, by Senators Walgren, Twigg, Gardner and Sellar (by Municipal Committee request):

An Act relating to controlled substances; amending section 69.50.304, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.304; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.401; amending section 69.50.408, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.408; amending section 69.50.505, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.505; repealing section 22, chapter 38, Laws of 1963, section 3, chapter 71, Laws of 1967 and RCW 69.40.064; and repealing section 2, chapter 33, Laws of 1970 ex. sess. and RCW 69.40.065.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2148, by Senators Walgren, Twigg, Gardner and Sandison (by Municipal Committee request):

An Act relating to firearms and dangerous weapons; amending section 7, chapter 172, Laws of 1935 as last amended by section 2, chapter 302, Laws of 1971 ex. sess. 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; and amending section 11, chapter 172, Laws of 1935 as last amended by section 4, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.110.

Referred to Judiciary Committee.

SENATE BILL NO. 2149, by Senators Walgren, Twigg, Gardner and Guess (by Municipal Committee request):

An Act relating to the open public meetings act; and amending section 12, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.120.

Referred to Committee on Local Government.

#### MOTION

On motion of Senator Walgren, the rules were suspended and Senator Guess was permitted as an additional sponsor on Senate Bill No. 2149.

SENATE BILL NO. 2150, by Senators Walgren, Gardner, Twigg and Guess (by Municipal Committee request):

An Act relating to open public meetings; and amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110.

Referred to Committee on Local Government.

#### MOTION

On motion of Senator Walgren, the rules were suspended and Senator Guess was permitted as an additional sponsor on Senate Bill No. 2150.

SENATE BILL NO. 2151, by Senators Gardner, Walgren and Sellar (by Municipal Committee request):

An Act relating to the crime of arson; adding new sections to chapter 9.09 RCW; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 320, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1963 and RCW 9.09.010; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 321, chapter 249, Laws of 1909, section 1, chapter 265, Laws of 1927, section 2, chapter 11, Laws of 1963, section 1, chapter 17, Laws of 1965 ex. sess. and RCW 9.09.020; repealing section 322, chapter 249, Laws of 1909 and RCW 9.09.030; repealing section 323, chapter 249, Laws of 1909 and RCW 9.09.040; repealing section 324, chapter 249, Laws of 1909 and RCW 9.09.050; and repealing section 6, chapter 87, Laws of 1895, section 325, chapter 249, Laws of 1909 and RCW 9.09.060.

Referred to Judiciary Committee.

SENATE BILL NO. 2152, by Senators Gardner, Walgren and Sellar (by Municipal Committee request):

An Act relating to the state fire marshal; amending section .33.03, chapter 79, Laws of 1947 and RCW 48.48.030; amending section .33.06, chapter 79, Laws of 1947 and RCW 48.48.060; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.48 RCW.

Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2123, 2128, 2131, 2132, 2133, 2141, 2143, 2144, 2145, 2146, 2147 and 2148.

#### MOTION

At 11:40 a.m., on motion of Senator Mardesich, the Senate was declared to be at ease until 12:00 noon.

The President called the Senate to order at 12:00 noon.

#### MOTIONS

On motion of Senator Greive, Senator Greive was excused for the remainder of the day.

At 12:02 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the first order of business.

## REPORT OF STANDING COMMITTEE

January 15, 1973.

SENATE BILL NO. 2048, changing the control period for destruction of court records (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Twigg, Van Hollebeke.

## SECOND READING

SENATE BILL NO. 2021, by Senators Stortini, Grant, Metcalf, Ridder, Odegaard, Canfield, Herr and Gardner:

Providing for annual general elections.

## REPORT OF STANDING COMMITTEE

January 10, 1973.

SENATE BILL NO. 2021, providing for annual general elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

Strike all material after the enacting clause and substitute the following:

"Section 1. Section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965 and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. *A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) the election of city, town, and district officers as provided for in RCW 29.13.040, or as otherwise provided by law; (2) the election of state and county officers for the remainder of any unexpired terms as provided for in Article II, section 15, Article III, section 10, and Article IV, sections 3 and 5 of the state Constitution; (3) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (4) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of county, city, town, or district officers; nor special elections to fill vacancies [in any state office, or] in the membership of either branch of the congress of the United States: PROVIDED [FURTHER] HOWEVER, That the board of county commissioners may, if they deem an emergency to exist, call a special county election at any time by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. Such county special election shall be noticed and conducted in the manner provided by law.*

*NEW SECTION.* Sec. 2. There is added to chapter 9, Laws of 1965 and to chapter 29.13 RCW a new section to read as follows:

Whenever state measures are voted upon at a state general election held in November of an odd-numbered year as provided for in section 1 of this 1973 amendatory act, the state of Washington shall assume its prorated share of such election costs. The county auditor shall apportion the state's share of such expenses when prorating election costs as provided under RCW 29.04.020 and 29.13.045 and shall file such expense claims with the state auditor. The state auditor shall compile such claims for presentation to the next succeeding legislature in the same manner as other legislative relief claims.

*NEW SECTION.* Sec. 3. There is added to chapter 9, Laws of 1965 and to chapter 29.13 RCW a new section to read as follows:

Whenever it shall be necessary to hold a special election in an odd-numbered year to fill an unexpired term of any office which is scheduled to be voted upon for a full term in an even-numbered year, no September primary election shall be held in the odd-numbered year if, after the last day allowed for candidates to withdraw, either of the following circumstances exist:

(1) No more than one candidate of each qualified political party has filed a declaration of candidacy for the same partisan office to be filled; or

(2) No more than two candidates have filed a declaration of candidacy for a single non-partisan office to be filled.

In either event, the officer with whom the declarations of candidacy were filed shall immediately notify all candidates concerned and the names of the candidates that would have been printed upon the September primary ballot, but for the provisions of this section, shall be printed as nominees for the positions sought upon the November general election ballot.

Sec. 4. Section 29.39.030, chapter 9, Laws of 1965 as amended by section 5, chapter 109, Laws of 1967 ex. sess. and RCW 29.39.030 are each amended to read as follows:

"Election" used alone means a general election except where the context indicates that a special election is meant or included. "Election" used without qualification never means a primary. ["Election" does not include a municipal election.]

In addition to the above, for the purpose of this chapter, the term "primary" means the [state] primary elections held on the third Tuesday in September of [the even-numbered] *each* year. The term "election" means the [state] general elections held on the first Tuesday following the first Monday in November of [the even-numbered and the odd-numbered years: PROVIDED, HOWEVER, That the absentee ballots for service voters of such odd-numbered year election shall be restricted to state measures being submitted for approval or rejection] *each year*.

*The purpose of this section is to authorize absentee voters qualifying as service voters as defined by RCW 29.39.010, as now existing or hereafter amended, to cast the same ballots, including those for special elections, as any registered voter would receive under the provisions of RCW 29.36.030 for any September primary or November general election.*

Sec. 5. Section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030 are each amended to read as follows:

The county central committee of each major political party shall consist of the precinct committeemen of the party from the several voting precincts of the county. This committee shall meet for the purpose of organization at the county court house at two o'clock p.m. on the second Saturday in December after each state general election *in the even-numbered year* unless some other time and place are designated by a sufficient notice to all the newly elected committeemen by the authorized officers of the retiring committee. For the purpose of this paragraph, a notice mailed at least seventy-two hours prior to the date of the meeting shall constitute sufficient notice.

At its organization meeting, the county central committee shall elect a chairman and vice chairman who must be of opposite sexes; it shall also elect a state committeeman and a state committeewoman.

Sec. 6. Section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040 are each amended to read as follows:

Any member of a major political party who is a registered voter in the precinct may upon payment of a fee of one dollar file his declaration of candidacy with the county auditor for the office of precinct committeeman of his party in that precinct. When elected he shall serve so long as he remains an eligible voter in that precinct and until his successor has been elected at the next ensuing state general election *in the even-numbered year*.

Sec. 7. Section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050 are each amended to read as follows:

The statutory requirements for filing as a candidate at the primaries shall apply to candidates for precinct committeeman except that the filing period for this office alone shall be extended to and include the Friday immediately following the last day for political

parties to fill vacancies in the ticket as provided by RCW 29.18.150, and the office shall not be voted upon at the primaries, but the names of all candidates must appear under the proper party and office designations on the ballot for the general November election for *each even-numbered year* and the one receiving the highest number of votes shall be declared elected: PROVIDED, That to be declared elected, a candidate must receive at least ten percent of the number of votes cast for the candidate of his party receiving the greatest number of votes in his precinct. Any person elected to the office of precinct committeeman who has not filed a declaration of candidacy shall pay the fee of one dollar to the county auditor for a certificate of election. The term of office of precinct committeeman shall be for two years, commencing upon completion of the official canvass of votes by the county canvassing board of election returns. Should any vacancy occur in this office by reason of death, resignation, or disqualification of the incumbent, or because of failure to elect, the respective county chairman of the county central committee shall be empowered to fill such vacancy by appointment: PROVIDED, HOWEVER, That in legislative districts having a majority of its precincts in a class AA county, such appointment shall be made only upon the recommendation of the legislative district chairman: PROVIDED, That the person so appointed shall have the same qualifications as candidates when filing for election to such office for such precinct: PROVIDED FURTHER, That when a vacancy in the office of precinct committeeman exists because of failure to elect at a state general election, such vacancy shall not be filled until after the organization meeting of the county central committee and the new county chairman selected as provided by RCW 29.42.030.

Sec. 8. Section 29.80.010, chapter 9, Laws of 1965 and RCW 29.80.010 are each amended to read as follows:

[There shall be mailed by the secretary of state to all voters of the state] *As soon as possible* prior to each state general election *at which federal or state officials are to be elected, the secretary of state shall publish and mail to each individual place of residence of the state* a candidates' pamphlet containing photographs and campaign statements of eligible nominees who desire to participate therein.

Sec. 9. Section 29.81.100, chapter 9, Laws of 1965 as amended by section 5, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.100 are each amended to read as follows:

As soon as possible prior to any *state general* election at which any initiative [or] *measure, referendum measure, or amendment to the state Constitution* is to be submitted to the people, the secretary of state shall cause to be printed in pamphlet form a true copy of the serial designation [and] *or number, the ballot title, the legislative title, if any,* the full text of and the arguments for and arguments against each such measure [including amendments to the Constitution proposed by the legislature] to be submitted to the people, and such other information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters."

In line 1 of the title after "elections;" strike all material down to and including the period on line 14 and insert the following: "amending section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965 and RCW 29.13.010; amending section 29.39.030, chapter 9, Laws of 1965 as amended by section 5, chapter 109, Laws of 1967 ex. sess. and RCW 29.39.030; amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030; amending section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050; amending section 29.80.010, chapter 9, Laws of 1965 and RCW 29.80.010; amending section 29.81.100, chapter 9, Laws of 1965 as amended by section 5, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.100; and adding new sections to chapter 9, Laws of 1965 and to chapter 29.13 RCW."

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

The bill was read the second time by sections.

Senator Grant moved adoption of the committee amendment.

On motion of Senator Grant, the following amendments to the committee amendment were adopted:

On page 1, section 1, line 18, after "RCW" strike "29.13.040" and insert "29.13.020"

On page 6, section 8, line 3, after "therein" insert "": *PROVIDED, That in odd-numbered years no candidate's pamphlet shall be published*"

On motion of Senator Clarke, the following amendment to the committee amendment was adopted:

On page 1, section 1, line 17, strike "*the election of*" and after "*district*" strike "*officers*" and insert "*general elections*"

On motion of Senator Metcalf, the following amendment to the committee amendment was adopted:

On page 6 of the committee amendment, add a new section following section 9 as follows:

"*NEW SECTION. Sec. 10. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*"

The motion by Senator Grant carried and the committee amendment, as amended, was adopted.

On motion of Senator Metcalf, the following amendment to the title was adopted:

On page 7, of the committee amendment, amend the title as follows: After "RCW" add "; and declaring an emergency"

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2021 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Atwood: "Will Senator Stortini yield? Senator Stortini, do you have a fiscal note that goes with this as to the added cost to the state for the holding of a general election every year?"

Senator Stortini: "The cost the first year on the part of the state will be roughly two hundred and six thousand dollars."

Senator Atwood: "That is for the election coming up? Does that include the voters' pamphlet preparation and everything?"

Senator Stortini: "Yes. Two hundred and six thousand three hundred and fifty dollars."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2021 and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Knoblauch, Lewis, (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Voting nay: Senators Atwood, Guess—2.

Excused: Senators Greive, Keefe, Woodall—3.

ENGROSSED SENATE BILL NO. 2021 having received the 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 Senator Gardner, House Bill No. 55 was ordered held for the second reading calendar Tuesday, January 16, 1973.

On motion of Senator Durkan, the rules were suspended and the Senate immediately commenced consideration of Senate Resolution 1973-9.

On motion of Senator Durkan, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-9

By Senators Durkan, Knoblauch, Lewis (Harry), Herr, Fleming, Greive, Talley and Dore:

WHEREAS, The International Brotherhood of Teamsters is one of this nation's largest labor organizations; and

WHEREAS, That organization has only three vice presidents on the West Coast; and

WHEREAS, On Tuesday, January 16th, the general executive board of the union will swear in Arnie Weinmeister, of Seattle, as a vice president; and

WHEREAS, This is the first time since 1958 that this state has had a vice president of the Teamsters Union; and

WHEREAS, Arnie Weinmeister has been well known in this state since the days when he starred in football for the University of Washington and in the professional ranks; and

WHEREAS, He has been associated with Teamsters Local 117 for several years and is currently serving as secretary thereof; and

WHEREAS, He has been secretary of Teamsters Joint Council No. 28 and currently serves that body as president;

NOW, THEREFORE, BE IT RESOLVED, That the Senate expresses its most sincere congratulations to Arnie Weinmeister on his elevation to the vice presidency of the International Brotherhood of Teamsters.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to Arnie Weinmeister, Frank E. Fitzsimmons, General President of the International Brotherhood of Teamsters, and to Teamsters Joint Council No. 28.

## MOTION

On motion of Senator Fleming, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-8

By Senators Fleming, Keefe, Peterson (Ted), Gardner, Francis, Grant, Murray, Washington, Dore, Ridder, Talley and Whetzel:

WHEREAS, We the members of the Senate gathered together here this fifteenth day of January at the seat of honor of the State to do the business of and to carry out the responsibilities to the citizens of this state, recognize that in our desire to reach the peak of achievement we have the example of a Great American to show us the way; and

WHEREAS, This man, a man of God, dedicated his life to bettering the quality of this society and the possibility of world peace; and

WHEREAS, This man dared us to trust God as he dedicated his life to the services of God; and

WHEREAS, This man had a dream, that some day this great country of ours would realize the potential of its Constitution, its Declaration of Independence, and its Bill of Rights, to free all men of the injustices of this society; and

WHEREAS, This man taught us how to be true Americans; his bravery forcefully reminds us that we are citizens in the land of the brave and his dedication to truth and equality has set us on our way to "One Nation under God with Liberty and Justice for all"; and

WHEREAS, The Montgomery Bus Strike is not so far away in our memories nor is the group which he founded, the Southern Christian Leadership Conference, whose very name bespeaks a chapter in our Nation's history:

NOW, THEREFORE, BE IT RESOLVED, That on this day we, the Senate of the State of Washington, pause in our deliberation to give honor to one of our most honorable citizens, Dr. Martin Luther King, Jr., and call the attention of the citizens of this state to his contributions to the Unity of our Nation; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit a copy of this resolution to his widow and members of his family.



## REMARKS BY SENATOR FLEMING

Senator Fleming: "Mr. President and members of the Senate, I think the resolution itself has done an admirable job in sort of describing and putting forth what I as an individual and I think many people in this state and nation feel about the many contributions that Doctor Martin Luther King contributed to American society and the world at large. I think that a resolution such as this is very fine in trying to honor the memory of a great American, but I think that this body itself did something even more memorable and more honorable two years ago when it passed a bill through this Senate body making Reverend Doctor Martin Luther King's birthday a school holiday. Unfortunately the bill died the last few days in the Rules Committee of the House. But I think that it is particularly noteworthy that all over the city of Seattle and many areas of western Washington in our parochial schools and so forth, young people of our state are out today in honor of this great American. I think that we as a body can continue to work for progress in this society and to reflect on the ideas and the contribution that this great American made to our state and to our nation. I think that this is the time right now that we as a body can sort of reflect back on those kinds of things that he stood for and try and rededicate ourselves to make this a better place for all Americans to live in. And I would hope that this body would rise with me for one moment of silence in honor of this great American."

The Senate observed one moment of silence in honor of Dr. Martin Luther King, Jr.

## MOTION

At 2:40 p.m., on motion of Senator Walgren, the Senate adjourned until 9:00 a.m., Tuesday, January 16, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## NINTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 16, 1973.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Keefe and Woodall. On motion of Senator Lewis (Harry), Senator Woodall was excused. There being no objection, Senator Keefe was excused.

The Color Guard, consisting of Pages Tom Caudill and Susan Stone, presented the Colors. Reverend Paul McCann, pastor of United Churches of Olympia, offered the following prayer:

“ALMIGHTY GOD, WE CANNOT LOVE UNLESS FIRST WE LOVE OUR BROTHERS. THANK YOU FOR WORK TO DO TODAY, WORK THAT RIGHTLY DONE CAN FURTHER AID OUR CITIZENRY AND EVEN BY YOUR GRACE ADVANCE YOUR KINGDOM ON EARTH. WE ASK YOU TODAY TO HELP US TO ENABLE US TO WORK TOGETHER. BEYOND OUR PARTISANSHIP GIVE US HONEST AND OPEN RELATIONSHIPS WITH ONE ANOTHER. HELP US TO EXERCISE TRUST TOWARD OTHERS AND IN TURN TO DESERVE THEIR TRUST OURSELVES. IN SHORT, O GOD, GIVE US THE MIND AND SPIRIT OF JESUS, YOUR SON AND OUR LORD IN WHOSE NAME WE PRAY AND FOR WHOSE KINGDOM WE WORK TOGETHER. AMEN.”

## MOTION

On motion of Senator Henry, the reading of the journal of the previous day was dispensed with and it was approved.

At 9:10 a.m., the President declared the Senate to be at ease.

At 9:25 a.m., the President declared the Senate to be in order.

## MOTION

At 9:25 a.m., on motion of Senator Mardesich, the Senate recessed until 11:15 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 11:15 a.m.

## MOTION

Senator Bailey: “Mr. President, with permission of the Senate, I would like to move that Senator Connor be placed on the Social and Health Services Committee instead of on Transportation and Utilities, that Senator Jolly be placed on the Transportation and

Utilities Committee instead of Ways and Means and that Senator Ridder be placed on the Ways and Means Committee instead of Social and Health Services.”

The motion carried.

There being no objection, the President declared the committee assignments to be confirmed.

#### MOTION

On motion of Senator Stender, the rules were suspended and the names of Senators Dore and Marsh were permitted as additional sponsors to Senate Bill No. 2111.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2129, by Senators Bottiger, Stender, Rasmussen, Mardesich and Grant:

An Act relating to workmen's compensation; and amending section 51.52.060, chapter 23, Laws of 1961 as last amended by section 1, chapter 148, Laws of 1963 and RCW 51.52.060.

Referred to Committee on Labor.

SENATE BILL NO. 2130, by Senators Bottiger, Stender, Stortini, Rasmussen, Mardesich and Grant:

An Act relating to workmen's compensation; amending section 51.52.120, chapter 23, Laws of 1961 as amended by section 1, chapter 63, Laws of 1965 ex. sess. and RCW 51.52.120; and prescribing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2153, by Senators Sandison, Whetzel and Talley (by Joint Committee on Higher Education request):

An Act relating to community college districts; amending section 2, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.020; amending section 3, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.030; amending section 5, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.060; amending section 7, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.080; adding a new section to chapter 196, Laws of 1971 ex. sess. and to chapter 28B.52 RCW; and creating a new section.

Referred to Committee on Higher Education.

SENATE BILL NO. 2154, by Senators Francis, Clarke and Dore (by Judicial Council request):

An Act relating to the judiciary; and amending section 23, chapter 299, Laws of 1961 and RCW 3.34.140.

Referred to Judiciary Committee.

SENATE BILL NO. 2155, by Senators Donohue, Durkan, Day, Henry, Jolly, Washington, Guess, Peterson (Lowell), Twigg, Odegaard and Talley:

An Act relating to taxation of property: providing for the current use taxation of farm and agricultural land; adding a new chapter to Title 84 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Donohue, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2155.

SENATE BILL NO. 2156, by Senators Francis, Murray, Grant, Ridder and Woody (by Attorney General request):

An Act relating to commercial transactions; and amending section 2-316, chapter 157, Laws of 1965 ex. sess. and RCW 62A.2-316.

Referred to Judiciary Committee.

SENATE BILL NO. 2157, by Senators Dore, Whetzel and Grant (by Attorney General request):

An Act relating to unfair business practices and consumer protection; and 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.

Referred to Judiciary Committee.

SENATE BILL NO. 2158, by Senators Sandison and Lewis (Harry) (by Joint Committee on Higher Education request):

An Act relating to collective bargaining between the state colleges and universities and their respective faculties; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof.

Referred to Committee on Higher Education.

SENATE BILL NO. 2159, by Senators Metcalf, Ridder, Stortini and Rasmussen:

An Act relating to education; authorizing a study; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; creating new sections; and making an effective date.

Referred to Committee on Education.

SENATE BILL NO. 2160, by Senators Sandison and Lewis (Harry) and Guess (by Joint Committee on Higher Education request):

An Act relating to public officers and agencies; and amending section 14, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.140.

Referred to Committee on Higher Education.

SENATE BILL NO. 2161, by Senators Francis and Clarke (by Judicial Council request):

An Act relating to the judiciary; and amending section 7, chapter 110, Laws of 1965 ex. sess. and RCW 3.66.065.

Referred to Judiciary Committee.

SENATE BILL NO. 2162, by Senators Gardner, Newschwander, Atwood and Sandison (by Legislative Budget Committee request):

An Act relating to state government; adding a new chapter to Title 43 RCW; and prescribing an effective date.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2163, by Senators Sandison, Washington, Lewis (Harry) and Stortini (by Joint Committee on Higher Education request):

An Act authorizing the conduct of certain educational programs for military personnel by community colleges; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2164, by Senators Peterson (Lowell), Twigg and Bailey (by Insurance Commissioner request):

An Act relating to loss distribution by comparative negligence; and adding a new section to Title 4 RCW as a new chapter thereof.

Referred to Judiciary Committee.

SENATE BILL NO. 2165, by Senators Francis, Murray and Ridder (by Attorney General request):

An Act relating to motor vehicles; amending section 16, chapter 74, Laws of 1967 ex.

sess. as amended by section 1, chapter 112, Laws of 1969 and RCW 46.70.180; amending section 21, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.190; and prescribing penalties.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2166, by Senators Gardner, Bottiger, Murray, Herr and Peterson (Ted) (by Legislative Council request):

An Act relating to libraries; establishing a state-wide system of libraries; amending section 3, chapter 207, Laws of 1943 and RCW 27.04.050; amending section 1, chapter 67, Laws of 1967 and RCW 27.04.070; amending section 1, chapter 295, Laws of 1955 and RCW 27.08.045; amending section 2, chapter 119, Laws of 1935 as last amended by section 1, chapter 122, Laws of 1965 and RCW 27.12.010; amending section 4, chapter 119, Laws of 1935 as last amended by section 2, chapter 122, Laws of 1965 and RCW 27.12.030; amending section 4, chapter 75, Laws of 1947 as amended by section 2, chapter 82, Laws of 1961 and RCW 27.12.120; amending section 8, chapter 119, Laws of 1935 as last amended by section 3, chapter 122, Laws of 1965 and RCW 27.12.190; amending section 9, chapter 119, Laws of 1935 as amended by section 8, chapter 65, Laws of 1941 and RCW 27.12.210; amending section 12, chapter 119, Laws of 1935 and RCW 27.12.260; amending section 13, chapter 119, Laws of 1935 and RCW 27.12.270; amending section 15, chapter 119, Laws of 1935 and RCW 27.12.290; amending section 1, chapter 90, Laws of 1972 ex. sess. and RCW 27.12.305; amending section 19, chapter 119, Laws of 1935 and RCW 27.12.310; amending section 20, chapter 119, Laws of 1935 as last amended by section 5, chapter 122, Laws of 1965 and RCW 27.12.320; amending section 1, chapter 93, Laws of 1965 ex. sess. and RCW 27.18.010; amending section 4, chapter 93, Laws of 1965 ex. sess. and RCW 27.18.040; amending section 1, chapter 158, Laws of 1961 as last amended by section 26, chapter 42, Laws of 1970 ex. sess. and RCW 39.30.010; amending section 2, chapter 233, Laws of 1963 and RCW 40.06.020; amending section 4, chapter 233, Laws of 1963 and RCW 40.06.040; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 26, chapter 288, Laws of 1971 ex. sess. and RCW 84.52.052; adding new sections to Title 27 RCW; repealing section 1, chapter 5, Laws of 1941, section 1, chapter 45, Laws of 1961, section 1, chapter 202, Laws of 1963, section 1, chapter 198, Laws of 1967 and RCW 27.04.020; repealing section 2, chapter 5, Laws of 1941, section 2, chapter 207, Laws of 1943 and RCW 27.04.030; repealing section 1, chapter 170, Laws of 1955 and RCW 27.04.035; repealing section 1, chapter 232, Laws of 1945 and RCW 27.04.040; repealing section 1, chapter 39, Laws of 1949 and RCW 27.04.060; repealing section 1, chapter 119, Laws of 1935 and RCW 27.12.020; repealing section 4, chapter 59, Laws of 1955 and RCW 27.12.040; repealing section 5, chapter 59, Laws of 1955 and RCW 27.12.050; repealing section 6, chapter 59, Laws of 1955 and RCW 27.12.060; repealing section 7, chapter 59, Laws of 1955, section 2, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.070; repealing section 5, chapter 119, Laws of 1935, section 5, chapter 65, Laws of 1941 and RCW 27.12.080; repealing section 1, chapter 75, Laws of 1947 and RCW 27.12.090; repealing section 2, chapter 75, Laws of 1947, section 1, chapter 82, Laws of 1961, section 1, chapter 63, Laws of 1965 and RCW 27.12.100; repealing section 3, chapter 75, Laws of 1947 and RCW 27.12.110; repealing section 5, chapter 75, Laws of 1947, section 1, chapter 133, Laws of 1959 and RCW 27.12.130; repealing section 6, chapter 75, Laws of 1947 and RCW 27.12.140; repealing section 7, chapter 75, Laws of 1947, section 8, chapter 59, Laws of 1955 and RCW 27.12.150; repealing section 8, chapter 75, Laws of 1947 and RCW 27.12.160; repealing section 9, chapter 75, Laws of 1947 and RCW 27.12.170; repealing section 1, chapter 22, Laws of 1947 and RCW 27.12.220; repealing section 1, chapter 59, Laws of 1955, section 3, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.222; repealing section 2, chapter 59, Laws of 1955, section 4, chapter 232, Laws of 1969 ex. sess., section 6, chapter 56, Laws of 1970 ex. sess. and RCW 27.12.223; repealing section 1, chapter 162, Laws of 1961 and RCW 27.14.010; repealing section 5, chapter 80, Laws of 1963 and RCW 27.14.015; repealing section 2, chapter 162, Laws of 1961, section 1, chapter 80, Laws of 1963 and RCW 27.14.020; repealing section 3, chapter 162, Laws of 1961, section 2, chapter 80, Laws of 1963 and RCW 27.14.030; repealing section 3, chapter 80, Laws of 1963 and RCW 27.14.035; repealing section 4, chapter 162, Laws of 1961, section 4, chapter 80, Laws of 1963 and RCW 27.14.040; repealing section 5, chapter 162, Laws of

1961 and RCW 27.14.050; and repealing section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063.

Referred to Committee on Higher Education.

#### MOTION

On motion of Senator Gardner, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2166.

SENATE BILL NO. 2167, by Senators Walgren and Donohue:

An Act relating to taxes imposed upon cigarettes and tobacco products; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.020; 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 82.26.020, chapter 15, Laws of 1961 as last amended by section 77, chapter 299, Laws of 1971 ex. sess. and RCW 82.26.020; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2168, by Senators Walgren and Donohue:

An Act relating to cigarette sales; and amending section 1, chapter 286, Laws of 1957 as amended by section 20, chapter 26, Laws of 1967 ex. sess. and RCW 19.91.010.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2169, by Senators Francis and Clarke (by Judicial Council request):

An Act relating to the annual conference of judges; and amending section 6, chapter 259, Laws of 1957 and RCW 2.56.060.

Referred to Judiciary Committee.

SENATE BILL NO. 2170, by Senators Whetzel, Sandison, Marsh and Lewis (Harry) (by Joint Committee on Higher Education request):

An Act relating to higher education; amending sections 28B.10.200 and 28B.10.250, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.200 and 28B.10.250; amending section 28B.10.510, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.510; amending section 19, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.822; amending section 20, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.824; amending section 14, chapter 215, Laws of 1969 ex. sess. and RCW 28B.16.230; amending section 28B.20.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.100; amending section 28B.20.412, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.412; amending section 28B.20.456, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.456; amending section 28B.30.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.100; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.100; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.030; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as amended by section 19, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.050; amending section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.060; amending section 28B.50.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.070; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.090; amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.100; amending section 28B.50.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.130; amending section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140; amending section 28B.50.170, chapter 223, Laws of 1969 ex. sess. as amended by section 28, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.170; amending section 28B.50.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.200; amending section 7,

chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.551; amending section 28B.50.570, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.570; amending section 42, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.864; repealing section 3, chapter 283, Laws of 1969 ex. sess. and RCW 28B.10.720; repealing sections 28B.50.690, 28B.50.700, 28B.50.710, 28B.50.780 and 28B.50.790, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.690, 28B.50.700, 28B.50.710, 28B.50.780 and 28B.50.790; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2171, by Senators Whetzel, Sandison, Marsh and Lewis (Harry) (by Joint Committee on Higher Education request):

An Act relating to higher education; amending section 3, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.041; amending section 28B.15.600, chapter 223, Laws of 1969 ex. sess. as amended by section 15, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.600; amending section 17, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.180; amending section 4, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.040; amending section 11, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.110; amending section 12, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.120; amending section 28B.50.040, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.040; amending section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter . . . (HB No. . . .), Laws of 1973 and RCW 28B.50.060; amending section 3, chapter 28, Laws of 1971 ex. sess. and RCW 28B.10.704; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing sections 28B.50.560, 28B.50.620, 28B.50.630, 28B.50.650, 28B.50.670 and 28B.50.680, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.560, 28B.50.620, 28B.50.630, 28B.50.650, 28B.50.670 and 28B.50.680; creating new sections; and making effective dates.

Referred to Committee on Higher Education.

SENATE BILL NO. 2172, by Senators Whetzel, Sandison, Marsh and Lewis (Harry) (by Joint Committee on Higher Education request):

An Act relating to providing educational benefits at certain institutions of education to the children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia; amending section 1, chapter 17, Laws of 1972 ex. sess. and RCW 28A.09.200; amending section 2, chapter 17, Laws of 1972 ex. sess. and RCW 28B.10.265; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2173, by Senators Francis, Herr and Woody:

An Act relating to witnesses; amending section 294, page 187, Laws of 1854 as last amended by section 7, chapter 13, Laws of 1965 and RCW 5.60.060; and amending section 95, page 117, Laws of 1854 as last amended by section 1069, Code of 1881 and RCW 10.52.020.

Referred to Judiciary Committee.

SENATE BILL NO. 2174, by Senators Walgren, Sandison, Twigg and Stortini (by Joint Committee on Higher Education and by Municipal Committee request):

An Act relating to training for police forces of state colleges and universities; and amending section 28B.10.550, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.550.

Referred to Committee on Higher Education.

SENATE BILL NO. 2175, by Senators Marsh, Day and Jones:

An Act relating to housing authorities; amending section 2, chapter 300, Laws of 1971 ex. sess. and RCW 35.82.280; and adding a new section to chapter 7, Laws of 1965 and to chapter 35.82 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2176, by Senators Gardner, Talley and Murray:

An Act relating to port districts; providing for insurance coverage for port district

commissioners; amending section 1, chapter 64, Laws of 1955 as amended by section 1, chapter 20, Laws of 1965 and RCW 53.08.170.

Referred to Committee on Local Government.

SENATE BILL NO. 2177, by Senators Donohue, Durkan, Day, Twigg, Peterson (Lowell), Henry, Guess, Jolly, Washington, Odegaard, Woody and Talley:

An Act relating to taxation of property; amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; adding new sections to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; repealing section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110; repealing section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120; repealing section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; repealing section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140; and prescribing an effective date.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Donohue, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2177.

SENATE BILL NO. 2178, by Senators Metcalf, Peterson (Ted), Rasmussen, Francis and Dore:

An Act relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2179, by Senators Talley, Murray and Jolly:

An Act relating to port districts; amending section 9, chapter 65, Laws of 1955 as last amended by section 1, chapter 8, Laws of 1961 ex. sess. and RCW 53.08.080; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2180, by Senators Ridder, Peterson (Ted) and Stortini:

An Act relating to education; and amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500.

Referred to Committee on Higher Education.

SENATE BILL NO. 2181, by Senators Woody, Connor and Grant:

An Act relating to workmen's compensation; amending section 51.48.070, chapter 23, Laws of 1961 and RCW 51.48.070; and prescribing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2182, by Senators Bottiger, Grant and Murray:

An Act relating to revenue and taxation; authorizing a fire protection district public utility excise tax; and adding a new chapter to Title 52 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr:

An Act relating to business and professions; adding a new chapter to Title 18 RCW.

Referred to Committee on Commerce.



SENATE BILL NO. 2184, by Senators Sandison, Walgren and Twigg (by Joint Committee on Higher Education and by Municipal Committee request):

An Act relating to police forces for the community college system; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

SENATE BILL NO. 2185, by Senators Woody, Grant and Connor:

An Act relating to workmen's compensation; and amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 21, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.080.

Referred to Committee on Labor.

SENATE CONCURRENT RESOLUTION NO. 109, by Senators Whetzel, Sandison and Marsh (by Joint Committee on Higher Education request):

Continuing recodification review of higher education code by Joint Committee on Higher Education.

Referred to Committee on Higher Education.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2129, 2130, 2156, 2159, 2162, 2163, 2170, 2171, 2172, 2174 and 2178.

At 11:25 a.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of hearing an address by the Premier of British Columbia, the Honorable David Barrett.

#### JOINT SESSION

The Sergeant at Arms of the Senate 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, John A. Cherberg, and the President Pro Tempore, Al Henry, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

The President of the Senate presided.

The President of the Senate called the Joint Session to order.

The Secretary of the Senate called the roll of the Senate, and all members were present except Senators Keefe and Woodall who were excused.

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

The President: "Honored members of the Legislature: The purpose of the Joint Session is to receive a message from the Premier of British Columbia, His Excellency David Barrett, and to greet an illustrious and renowned group of his colleagues from British Columbia."

The President of the Senate appointed the following committee to act as a committee of honor to escort the Premier of British Columbia, the Honorable David Barrett, to the rostrum and the visiting cabinet ministers from British Columbia to a place of honor at the bar of the House: Senators Van Hollebeke, Bailey, Mardesich, Atwood and Lewis (Harry), and Representatives Goltz, Haussler, Anderson, Bluechel, Schumaker, Van Dyk and Berentson.

The committee retired.

The Sergeant at Arms of the House announced the arrival at the bar of the House of the Premier of British Columbia, the Honorable David Barrett, and the visiting cabinet ministers. The President of the Senate instructed the committee to escort the Premier to a seat on the rostrum and the visiting cabinet ministers to a place of honor at the bar of the House.

The President: "Esteemed members of the Legislature, our illustrious visitors from British Columbia, His Excellency, the Honorable David Barrett, ladies and gentlemen: The invocation will be given by the Reverend Father A. A. Lemieux, Director of Development, Seattle University."

Father Lemieux: "Almighty God, gracious loving Father of us all, and concerned with our actions, bless this assembly and prosper the purpose for which it has been convened. Bless our distinguished visitor, the newly-elected youthful and dynamic Premier of British Columbia who honors our state by his visit. No stranger among us, but a beloved alumnus of our own Seattle University, he comes in a spirit of genuine friendship to promote social relations between our two sovereign regions, to discuss areas of common concern, and to seek solutions of mutual benefit to all. O God, grant Your blessings on our esteemed Governor who has already manifested before this assembly a renewed commitment to regional planning and cooperation with Oregon, Idaho and our neighboring Province of British Columbia. We ask You, O Lord, to give vision and direction, courage and steadfastness, to these two young and progressive leaders, to their legislative bodies and cabinet members, wisely and vigorously to push forward these goals of cooperation and understanding, so promising and so far-reaching, for the common good of the people of all classes and of both countries.

"Unto Your glory, and the betterment of their fellow men, help them to go on to labor and to plan for the countries they love, as we ask for them, Your guidance and help, while knowing that here on earth the work of building and growth also be truly our own. Amen."

The President introduced the visiting cabinet ministers from British Columbia: The Honorable Ernest Hall, Provincial Secretary; the Honorable A. B. Macdonald, Attorney-General, and Mrs. Macdonald; the Honorable L. T. Nimsick, Minister of Mines, and Mrs. Nimsick; the Honorable R. M. Strachan, Minister of Highways and Mrs. Strachan; the Honorable W. S. King, Minister of Labor; the Honorable J. G. Lormier, Minister of Municipal Affairs, and Mrs. Lormier; the Honorable D. G. Cocke, Minister of Health, and Mrs. Cocke; the Honorable Norman Levi, Minister of Rehabilitation and Social Improvement; the Honorable F. A. Calder, Minister Without Portfolio; Consul-General Raymond C. Anderson of Canada, who is a guest.

The President introduced the following persons who were included in the group of visitors: John Twigg, Press Secretary; Lawrie Wallace, Deputy Provincial Secretary; John Wood, Premier's Executive Assistant; and Harvey Beech, Administrative Assistant to the Premier.

President Cherberg: "Now, Mr. Speaker, Father Lemieux, members of the Legislature, our distinguished guests, ladies and gentlemen: This morning the President has been accorded the most distinct and singular honor of introducing to you a very inspiring and highly successful alumnus of Seattle University. This gentleman, in a sense, was a protege of our beloved Father Lemieux, and I do not think I have to remind you that there is a great deal of mutual respect, admiration and affection between these two gentlemen. Because of the Premier's natural closeness to people, and his inviting and cordial personality, many of you have had the opportunity within the past few hours to greet this renowned leader of Parliament from our closest neighbor to the north. The Premier's plans and programs for the progress of British Columbia, and for the strengthening of ties between the Province and the state of Washington have already caused him to become a legend in his own time. His empathy with the common man, and his unique ability to deal with complex economic and ecological issues in this difficult time have caused his presence to be observed with admiration and respect throughout the world. May I now present to you His Excellency, Premier David Barrett, of the Province of British Columbia, Canada."

Premier Barrett: "Father Lemieux, Governor Evans, Lieutenant Governor Cherberg, Mr. Speaker, members of the Senate and the Legislative Assembly:

"After hearing that introduction, I was just wondering if the Lieutenant Governor was talking about the same person who is now going to address you. I was surprised to learn that I am such a renowned figure. Actually, Father Lemieux' presence here is not only to finally get me to the point where I listen to one of his prayers (which those of you who know my personal background will understand some difficulty there), but also to present Ray Van Hollebeke and myself with an old bill that we haven't paid in the cafeteria. I just want the Father to understand that it is Van Hollebeke who owes the money, Father, not me.

"I was delighted and pleased to meet so many of our old friends, and to have the opportunity of returning in a somewhat different role from our visit last year. I want to tell you that our visit last year was the beginning, I think and I hope, of a new relationship between these two separate, distinct and great jurisdictions in the Pacific Northwest.

"There is no reason to believe that the purposes and goals of political life in British Columbia and in Washington State have very great differences. All of us have been elected in common to serve to the best of our ability in attempting to solve the problems that are essentially related to our region in our respective jurisdictions.

"I want to spend just a few moments of my brief address talking about some of the technical aspects of being a politician. I want to, on behalf of all the people of the Northwest, thank all of you for standing for office. I think there is a very great wrong impression abroad, in some segments of the North American communities, that politics or politicians are essentially bad. That is wrong, and I think people should appreciate the fact of how much time and how much energy, and how much of your life you people give up in your efforts to serve your state. I must say that the talents and the skills that you bring with you to your deliberations perhaps go overlooked by the people of this great state. I want to say, in my brief experience in politics, I have not met such a group of experienced and dedicated legislators as you have, both in the Senate and in this House. I think as politicians you have a great deal to offer to the people of Washington. Politics is good. The in-fighting, the out-fighting, the dynamic exchange of ideas and opinions, the clashes of ideals, are absolutely essential in the democratic process. Politics is raw, it's tough, it's mean, it's cruel, and it's hard. But it's real life, and it is out of that cauldron that decisions are made on behalf of the people. So people should understand that politicians do fight among themselves just like families do. People should understand that politicians have differences of opinion, just like neighbors do. But the common purpose of politicians here in Washington State and in British Columbia is to serve their constituents to the best of their ability.

"In the past ten years in North America, there has been a dynamic change in the nature of politics and politicians. There are brand new problems, brand new awarenesses, that have brought us to understand that we cannot operate in a vacuum on some of these problems. The primary motivation of our visit last year, and again our visit this year, is to discuss with you the problems of our environment, those problems which know no boundary and no barrier. When we poison our water, or you poison our air, we affect each other. When you clog your roads, and we clog our ferries, we affect each other. We have common burgeoning problems created by large populations with new measures of affluence. And unless we are able to control this affluence in a manner to meet common good, all of us will suffer from what we know as progress and growth. There are very great dangers around the growth syndrome, and it is my opinion that we must be very, very cautious in the Pacific Northwest in how we approach growth. The resources we have in many instances are nonrenewable. And when we share a common direction in the use of those resources, we can learn from each other. When we share a common husbanding of those resources, we can also learn from each other.

"Public expectations from politicians have changed dramatically, even in the last year. Some of the things that we talk about in terms of curbing growth, two or three years ago would be considered political suicide. Yet now the public is demanding an awareness of the necessity of conserving what we have and finding new directions in our society. It is my opinion that North America cannot continue on a path of developing an acquisitive society with no understanding of the very fragile nature of the world we live in. It is absolutely essential, in my opinion, for us to get together and begin to find answers to our common problems and reach our common destiny in a far more rational way.

"In British Columbia I have announced that the period of boomism is over. We are not committed to growth for growth's sake. We must preserve this region as an area that is refreshing, that is new in terms of being untouched, and a sample of what other areas can, perhaps, do. I am delighted with your Governor's attitude toward conservation. I am delighted with the awareness of your legislators and your Senators about the need to husband the resources in a fruitful manner. But more than anything else, I am impressed by the concern that all of you have shown for the ordinary people who live in this area—the

ordinary people who have all the fears and insecurities of a rapidly developing life and a changing pattern in their life style that they can't cope with.

"It is my opinion that as politicians we are elected to cushion changes for our people with as much concern for their individuality as possible. It is out of this general statement of philosophy that we seek further legislative guidance, counsel and cooperation with you. It is my intention upon returning to British Columbia, when we open our forthcoming session of the legislature, to have the House name a permanent committee of liaison with Washington State, dealing with common problems.

"I do hope that in response to our visit some of you will come back to British Columbia and visit us. It is absolutely essential that we get to know each other as human beings, more than just politicians, more than just a political identity.

"In conclusion, I want to thank you on behalf of my colleagues, I want to thank you on behalf of their wives, and I want to thank you on behalf of all the legislators in the Province of British Columbia. More than anything else, I want to express my appreciation for your concern, for your awareness of our problems in British Columbia. I want to express my appreciation on behalf of all our citizens in that wonderful province. We are your neighbors. We are your friends. Sometimes it is necessary for the best friends you have to be the ones to tell you whether or not you've got bad breath. We expect you to tell us when you think we haven't been brushing our teeth and we will be telling you the same. We have too many things in common to have just a superficial warm relationship. Our people come from a common heritage, and there is much to be done together. I look forward to that future cooperation.

"Thanks very much."

The President: "Thank you, very much, Premier Barrett. I really did not expect you to agree with my introduction, but I am sure that everyone else does agree, and that is what is truly important. We wish to express our appreciation and gratitude to you, and to your colleagues, for your friendly visit to Olympia. You have left us a great deal richer as to what is the proper procedure for the welfare and benefit of our people. We are indeed grateful to you. We all join in wishing you, Premier Barrett, and your colleagues, 'Godspeed'."

The President of the Senate directed the special committee to escort His Excellency, Premier David Barrett, from the House Chamber. The special committee thereupon escorted Premier Barrett from the House Chamber.

The President of the Senate directed the special committee to escort the visiting cabinet ministers from the House Chamber. The special committee thereupon escorted the visiting cabinet ministers from the House Chamber.

The President: "Mr. Speaker, members of the House: Thank you once again for your wonderful hospitality, and thank you, Father Lemieux."

The President of the Senate turned the gavel over to the Speaker of the House.

#### MOTION

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tempore Henry, and the members of the Senate to the Senate Chamber.

#### NOON SESSION

The President called the Senate to order at 12:05 p.m.

#### MOTION

On motion of Senator Metcalf, the rules were suspended and the Senate commenced consideration of Senate Resolution 1973-10.

Senator Metcalf moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-10

By Senators Metcalf, Woody and Van Hollebeke:

WHEREAS, The Warrior Band of Woodway High School, Edmonds School District, Woodway, Washington is under the able direction of Bruce Caldwell and is composed of some of the most dedicated high school students in our state; and

WHEREAS, The many hours of practice have resulted in the band receiving outstanding recognition for its past performances in this state and neighboring Canadian provinces; and

WHEREAS, The Warrior Band will be representing the state of Washington at the Presidential Inauguration Day ceremonies in Washington, D.C. on January 20th; and

WHEREAS, This is the first time in over fifteen years that a high school band from west of the Cascades has been selected to perform in Washington, D.C.;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, That the Warrior Band be commended for its outstanding achievements in the field of music and for its selection as a representative of this state at the President's inauguration.

BE IT FURTHER RESOLVED, That the Senate extends its congratulations and best wishes to the band on its impending journey to the nation's capital.

AND BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to the Principal of Woodway High School and to Mr. Bruce Caldwell on behalf of the Warrior Band.

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President and members of the Senate, we have agreed over here to suspend the rules and pass this resolution. This is very timely today and will not be timely tomorrow. However, I would point out to the other members that we have done this three times now and if we are not careful, every member is going to expect that this is something that each has coming to him because someone else had it, and I think we are going to look with real caution on any floor resolutions that come before us hereafter that could have been prepared in time for the twenty-four hour notice."

#### REMARKS BY SENATOR ATWOOD

Senator Atwood: "Mr. President, I want to echo Senator Bailey's remarks. I brought this up in caucus today and one of our fellows violates it the first chance. So I thank you for that. I would hope that our people would observe the same thing, Senator Bailey."

The motion by Senator Metcalf carried and the resolution was adopted.

#### MOTION

At 12:15 p.m., on motion of Senator Bailey, the Senate adjourned until 9:30 a.m., Wednesday, January 17, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 17, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Day, Durkan and Scott. On motion of Senator Newschwander, Senator Scott was excused. There being no objection, Senators Day and Durkan were excused.

The Color Guard, consisting of Pages Linda Magden and Tim Stensager, presented the Colors. Reverend Paul F. McCann, pastor of United Churches of Olympia, offered the following prayer:

“ THIS IS THE DAY THE LORD HAS MADE: REJOICE, AND BE GLAD IN IT. ”  
 FOR THE BEAUTY OF THE EARTH, FOR THE GLORY OF THE SKIES, FOR THE LOVE WHICH FROM OUR BIRTH, OVER AND AROUND US LIES: FOR THE WONDER OF EACH HOUR, OF THE DAY AND OF THE NIGHT, HILL AND VALE, AND TREE AND FLOWER, SUN, AND MOON, AND STARS OF LIGHT: FOR THE JOY OF EAR, AND EYE, FOR THE HEART AND MIND'S DELIGHT, FOR THE MYSTIC HARMONY, LINKING SENSE TO SOUND AND SIGHT: FOR THE JOY OF HUMAN LOVE, BROTHER, SISTER, PARENT, CHILD, FRIENDS ON EARTH AND FRIENDS ABOVE, FOR ALL GENTLE THOUGHTS AND MILD: LORD OF ALL, TO THEE WE RAISE, THIS OUR PRAYER OF GRATEFUL PRAISE. NOW, O GOD, LET OUR PRAISE TAKE SHAPE IN OUR WORK, AS WELL AS OUR WORDS. TODAY, AND EVERY DAY. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## SECOND READING

HOUSE BILL NO. 55, by Representatives Bauer, Luders, Julin, Erickson, King, Hoggins, Brown, Bluechel, Johnson, North (Lois), Kraabel, Ceccarelli, Charnley, Cunningham, Curtis, Eng, Freeman, Gilleland, Goltz, Hansey, Hayner, Hendricks, Knowles, Lysen, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Smythe, Tilly, Van Dyk and Wilson (by Superintendent of Public Instruction and Joint Committee on Education request):

Conforming statutory excess levy election provisions with constitutional changes made by HJR 47.

The bill was read the second time by sections.

Senator Gardner moved adoption of the following amendment by Senators Gardner and Lewis (Harry):

On page 3, section 1, line 14, strike the period and insert the following: “, at which special election the proposition authorizing such excess levies shall be submitted in such form as to enable the voters favoring the proposition to vote “yes” and those opposed thereto to vote “no”.”

#### POINT OF INQUIRY

Senator Stender: “Would Senator Gardner yield? In other words, you do not want it to be as confusing as the HJR 47 itself is?”

Senator Gardner: “You said it, sir.”

#### MOTION

On motion of Senator Mardesich, the rules were suspended, House Bill No. 55, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 55, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Excused: Senators Day, Durkan, Scott—3.

HOUSE BILL NO. 55, 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 Senator Gardner, House Bill No. 55, as amended by the Senate was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEE

January 16, 1973.

SENATE BILL NO. 2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year (reported by Committee on Education):

Recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

January 16, 1973.

SENATE BILL NO. 2131, implementing law relating to school holidays and programs suitable thereto (reported by Committee on Education):

Recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

January 16, 1973.

SENATE CONCURRENT RESOLUTION NO. 104, providing for development of a comprehensive plan for revision of the state's current school financing and distribution system (reported by Committee on Education):

Recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Bailey, Connor, Keefe, Woodall and Twigg to escort Freddie Steele, former boxing great, to a place of honor upon the rostrum.

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, there are many members of the Senate and people present in the galleries today who were not on this particular planet when this man was at the height of his career. We have with us today an idol who is a native of Tacoma, Washington, who in his youth became one of the most famous people in the world, if not the most famous at the time. Freddie Steele is a legendary figure in the athletic world and in the entertainment field. He has in his lifetime achieved great success in three distinguished careers. He was world's middleweight champion at one time and was one of the greatest. He has become and was a very successful movie actor and is presently a highly successful business and civic leader of Westport, Washington. It is with the greatest pride and pleasure that the President presents to you Mr. Freddie Steele."

#### REMARKS BY MR. STEELE

Freddie Steele: "Well, John, I should have put you on the list years ago. I thank you very much for having me here. I am enjoying it very much. Thank you very much."

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Freddie. I am sure that you and another former participant in the squared ring, Senator James E. Keefe over here, will have many nostalgic experiences. You can tell from Senator Keefe's physiognomy that he also stopped a few."

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2186, by Senators Bottiger, Gardner and Francis:

An Act relating to and regulating the practice of naturopathy; creating a state examining and disciplinary board for naturopathic practitioners; prescribing powers and duties; making exceptions; creating new sections; 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 and RCW 18.36.040; repealing section 11, chapter 36, Laws of 1919 and RCW 18.36.050; repealing section 4, chapter 36, Laws of 1919 and RCW 18.36.060; repealing section 6, chapter 36, Laws of 1919 and RCW 18.36.110; repealing section 1, chapter 83, Laws of 1953, section 7, chapter 266, Laws of 1971 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; and providing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2187, by Senators Grant, Gardner, Woody and Rasmussen:

An Act relating to lie detector tests; and amending section 1, chapter 152, Laws of 1965 and RCW 49.44.120.

Referred to Committee on Labor.

SENATE BILL NO. 2188, by Senators Bottiger, Odegaard, Canfield and Rasmussen (by Permanent Property Tax Committee request):

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370; and making an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2189, by Senators Francis and Twigg:

An Act relating to survival of actions and damages; and amending section 1, chapter 137, Laws of 1961 and RCW 4.20.046.

Referred to Judiciary Committee.

SENATE BILL NO. 2190, by Senators Grant, Ridder and Stortini:

An Act relating to the powers of initiative and referendum in code cities; and adding new sections to chapter 119, Laws of 1967 ex. sess. and to chapter 35A.11 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2191, by Senators Grant, Ridder and Stortini:

An Act relating to elections; amending section 29.21.110, chapter 9, Laws of 1965 as amended by section 1, chapter 19, Laws of 1970 ex. sess. and RCW 29.21.060; amending section 3, chapter 69, Laws of 1951 as last amended by section 21, chapter 200, Laws of 1963 and RCW 53.12.044; and amending section 10, chapter 175, Laws of 1959 as amended by section 5, chapter 51, Laws of 1965 and RCW 53.12.055.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2192, by Senators Rasmussen and Peterson (Ted):

An Act relating to public employment; amending section 18, chapter 274, Laws of 1947 as last amended by section 3, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.170; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2193, by Senators Rasmussen and Peterson (Ted):

An Act relating to layoffs and subsequent reemployment of veterans in classified service under the jurisdiction of the state civil service law and the higher education personnel law; amending section 10, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 19, Laws of 1971 ex. sess. and RCW 28B.16.100; amending section 15, chapter 1, Laws of 1961 as last amended by section 2, chapter 19, Laws of 1971 ex. sess. and RCW 41.06.150; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2194, by Senators Gardner, Keefe, Fleming, Dore, Metcalf, Ridder, Murray and Francis (by Joint Committee on Education request):

An Act relating to needy or disadvantaged elementary and secondary students; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and providing penalties.

Referred to Committee on Education.

SENATE BILL NO. 2195, by Senators Woody, Matson and Day:

An Act relating to landlords and tenants; adding a new section to Title 59 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2196, by Senators Gardner, Fleming, Murray, Peterson (Ted), Francis, and Stortini (by Joint Committee on Education request):

An Act relating to community education pilot programs; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and making an appropriation.

Referred to Committee on Education.

SENATE BILL NO. 2197, by Senators Francis, Washington and Scott (by Legislative Council request):

An Act relating to elections; amending section 29.07.070, chapter 9, Laws of 1965 as amended by section 9, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.070; amending section 29.07.080, chapter 9, Laws of 1965 as amended by section 10, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.080; amending section 29.07.160, chapter 9, Laws of 1965 as amended by section 20, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.160; amending section 29.39.120, chapter 9, Laws of 1965 as amended by section 2, chapter 178, Laws of 1971 ex. sess. and RCW 29.39.120; amending section 1, chapter 73, Laws of 1967 ex. sess. as amended by section 3, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.010; amending section 3, chapter 73, Laws of 1967 ex. sess. as amended by section 6, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.030; amending section 4, chapter 73, Laws of 1967 ex. sess. as amended by section 7, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.040; amending section 5, chapter 73, Laws of 1967 ex. sess. as amended by section 9, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.050; amending section 6, chapter 73, Laws of 1967 ex. sess. as amended by section 10, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.060; amending section 7, chapter 73, Laws of 1967 ex. sess. as amended by section 11, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.070; repealing section 5, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.025; repealing section 8, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.045; and repealing section 13, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.900.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2198, by Senators Day and Guess:

An Act relating to liens; amending section 4, chapter 24, Laws of 1893 as amended by section 4, chapter 279, Laws of 1959 and RCW 60.04.050; amending section 5, chapter 24, Laws of 1893 as last amended by section 1, chapter 94, Laws of 1971 ex. sess. and RCW 60.04.060; amending section 9, chapter 24, Laws of 1893 as amended by section 1, chapter 209, Laws of 1943 and RCW 60.04.100; amending section 12, chapter 24, Laws of 1893 as last amended by section 129, chapter 81, Laws of 1971 and RCW 60.04.130; adding a new section to chapter 60.04 RCW; and creating a new section.

Referred to Judiciary Committee.

SENATE BILL NO. 2199, by Senators Henry, Murray and Walgren (by Department of Motor Vehicles request):

An Act relating to reporting and recommendations by courts; amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 55, chapter 145, Laws of 1967 ex. sess. and RCW 46.20.270; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515.

Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2187, 2188, 2194 and 2196.

## MOTION

At 10:00 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, January 18, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## ELEVENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash, Thursday, January 18, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Francis, Lewis (Harry), Murray, Odegaard and Whetzel. On motion of Senator Atwood, Senators Lewis (Harry), Murray and Whetzel were excused. On motion of Senator Gardner, Senator Francis was excused. On motion of Senator Donohue, Senator Odegaard was excused.

The Color Guard, consisting of Pages Randy Brachtenbach and Sharon Dougherty, presented the Colors. Reverend Paul F. McCann, pastor of United Churches of Olympia, offered the following prayer:

“ALMIGHTY GOD, WE BEGIN THIS WORK TODAY CONSCIOUS OF FULL AGENDAS, COMMITTEE MEETINGS, HEARINGS, CONFERENCES, AND THE LIKE. EACH OF US HAS AN AGENDA OF HIS OWN TODAY. PERHAPS YOU HAVE SOME CONCERNS TO BE INCLUDED—EVEN GIVEN PRIORITY. GIVE US ENOUGH OPENNESS, FLEXIBILITY, SENSITIVITY, TO DISCOVER YOUR WORK IN THE MIDST OF OUR OWN, AND TO CLAIM IT AS OURS. THEN, O GOD, WHATEVER WE DO, IN WORD OR DEED, MAY WE DO OUR BEST AS AN OFFERING UNTO YOU. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

January 17, 1973.

SENATE BILL NO. 2017, making certain changes in the veterans bonus law (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Wanamaker.

#### MOTION

On motion of Senator Rasmussen, Senate Bill No. 2017 was referred to the Committee on Ways and Means.

January 16, 1973.

SENATE BILL NO. 2054, providing a ten dollar fee for reinstatement of drivers' licenses (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Knoblauch, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

January 16, 1973.

SENATE BILL NO. 2055, providing for the issuance of an occupational driver's license (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Knoblauch, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

January 16, 1973.

SENATE BILL NO. 2067, abolishing mobile home I.D. tags (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Knoblauch, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

January 17, 1973.

SENATE BILL NO. 2073, directing codification of section 12, Laws of 1969 extraordinary session (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Dore, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

January 17, 1973.

SENATE BILL NO. 2079, implementing duties of state printing and duplicating committee (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

January 17, 1973.

SENATE BILL NO. 2089, providing for a state-wide forms management program (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2200, by Senators Greive, Connor and Woodall (by Joint Committee on Governmental Cooperation request):

An Act relating to state government; and amending section 9, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.666.

Referred to Committee on State Government.

SENATE BILL NO. 2201, by Senators Greive, Connor and Woodall (by Joint Committee on Governmental Cooperation request):

An Act relating to state government; amending section 3, chapter 32, Laws of 1969 as amended by section 110, chapter 81, Laws of 1971 and RCW 43.19.190; amending section 43.19.1902, chapter 8, Laws of 1965 as amended by section 3, chapter 104, Laws of 1967 ex. sess., and 43.19.1902; amending section 43.19.1904, chapter 8, Laws of 1965 as amended by section 4, chapter 104, Laws of 1967 ex. sess., and RCW 43.19.1904; amending section 43.19.1906, chapter 8, Laws of 1965 and RCW 43.19.1906; and amending section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911.

Referred to Committee on State Government.

SENATE BILL NO. 2202, by Senators Talley, Stender, Rasmussen and Day:

An Act relating to unemployment compensation; and amending section 51.32.070, chapter 23, Laws of 1961 as last amended by section 9, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.070.

Referred to Committee on Labor.

#### MOTION

On motion of Senator Talley, the rules were suspended and Senator Day was permitted as an additional sponsor to Senate Bill No. 2202.

SENATE BILL NO. 2203, by Senators Grant, Stender, Woody and Connor:

An Act relating to unemployment compensation coverage for classified employees of school districts; and adding a new section to chapter 3, Laws of 1971 and to chapter 50.44 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2204, by Senators Francis and Woody:

An Act relating to attorney's fees; and amending section 372, page 202, Laws of 1854 as last amended by section 510, Code of 1881 and RCW 4.84.060.

Referred to Judiciary Committee.

SENATE BILL NO. 2205, by Senators Francis and Woody:

An Act relating to attorneys' fees; and amending section 374, page 202, Laws of 1854 as last amended by section 512, Code of 1881 and RCW 4.84.080.

Referred to Judiciary Committee.

SENATE BILL NO. 2206, by Senators Bottiger, Gardner and Lewis (Harry) (by Superintendent of Public Instruction request):

An Act relating to campaign expenditures; and amending section 14, chapter 1, Laws of 1973 (Initiative Measure No. 276, section 14) and RCW 42.17.130.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2207, by Senators Francis and Dore:

An Act relating to drivers' licenses; amending section 5, chapter 121, Laws of 1965 ex.

sess. and RCW 46.20.041; and amending section 26, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.305.

Referred to Judiciary Committee.

SENATE BILL NO. 2208, by Senators Gardner, Mardesich and Sandison (by Joint Committee on Education request):

An Act relating to education; amending section 2, chapter 10, Laws of 1972 ex. sess. and RCW 28A.27.010; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding a new section to chapter 49.12 RCW; repealing sections 28A.06.010, 28A.06.050 and 28A.06.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.06.010, 28A.06.050 and 28A.06.070; repealing section 28A.28.010, chapter 223, Laws of 1969 ex. sess., section 10, chapter 48, Laws of 1971 and RCW 28A.28.010; repealing sections 28A.28.020, 28A.28.050, 28A.28.060, 28A.28.070, 28A.28.090, 28A.28.100, 28A.28.110, 28A.28.120, 28A.28.130 and 28A.28.140, chapter 223, Laws of 1969 ex. sess. and RCW 28A.28.020, 28A.28.050, 28A.28.060, 28A.28.070, 28A.28.090, 28A.28.100, 28A.28.110, 28A.28.120, 28A.28.130 and 28A.28.140; and repealing section 28A.28.030, chapter 223, Laws of 1969 ex. sess., section 11, chapter 48, Laws of 1971 and RCW 28A.28.030.

Referred to Committee on Education.

SENATE BILL NO. 2209, by Senators Francis, Whetzel and Ridder:

An Act relating to highway advertising; amending section 2, chapter 96, Laws of 1961 as amended by section 1, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.020; amending section 4, chapter 96, Laws of 1961 as amended by section 4, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.040; amending section 6, chapter 96, Laws of 1961 as amended by section 6, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.060; amending section 7, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.062; amending section 8, chapter 96, Laws of 1961 as amended by section 10, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.080; amending section 12, chapter 96, Laws of 1961 as amended by section 17, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.120; adding new sections to chapter 96, Laws of 1961 and to chapter 47.42 RCW; and adding new sections to chapter 47.42 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2210, by Senators Fleming, Francis and Grant:

An Act relating to education and certain school holidays; amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2211, by Senators Francis and Whetzel:

An Act relating to support of dependent children; amending section 6, chapter 206, Laws of 1963 as amended by section 14, chapter 173, Laws of 1969 ex. sess. and RCW 74.20.210.

Referred to Judiciary Committee.

SENATE BILL NO. 2212, by Senators Talley, Wanamaker and Henry:

An Act relating to public offices and agencies; amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110; and amending section 14, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.140.

Referred to Committee on State Government.

SENATE BILL NO. 2213, by Senators Day, Bottiger and Stender:

An Act regulating the practice of nursing; amending sections 1 and 2, chapter 202, Laws of 1949 and RCW 18.88.010 and 18.88.020; amending section 4, chapter 202, Laws of 1949 as amended by section 1, chapter 288, Laws of 1961 and RCW 18.88.030; amending section 5, chapter 202, Laws of 1949 and RCW 18.88.050; amending section 6, chapter 202, Laws of 1949 as amended by section 3, chapter 288, Laws of 1961 and RCW 18.88.060; amending section 7, chapter 202, Laws of 1949 and RCW 18.88.070; amending

section 8, chapter 202, Laws of 1949 as amended by section 4, chapter 288, Laws of 1961 and RCW 18.88.080; amending section 9, chapter 202, Laws of 1949 as amended by section 5, chapter 288, Laws of 1961 and RCW 18.88.090; amending section 10, chapter 202, Laws of 1949 as amended by section 6, chapter 288, Laws of 1961 and RCW 18.88.100; amending sections 11 and 12, chapter 202, Laws of 1949 and RCW 18.88.110 and 18.88.120; amending section 13, chapter 202, Laws of 1949 as amended by section 7, chapter 288, Laws of 1961 and RCW 18.88.130; amending section 14, chapter 202, Laws of 1949 as amended by section 8, chapter 288, Laws of 1961 and RCW 18.88.140; amending section 15, chapter 202, Laws of 1949 as amended by section 9, chapter 288, Laws of 1961 and RCW 18.88.150; amending section 16, chapter 202, Laws of 1949 as amended by section 10, chapter 288, Laws of 1961 and RCW 18.88.160; amending sections 17 and 18, chapter 202, Laws of 1949 and RCW 18.88.170 and 18.88.180; amending section 19, chapter 202, Laws of 1949 as last amended by section 18, chapter 266, Laws of 1971 ex. sess. and RCW 18.88.190; amending section 20, chapter 202, Laws of 1949 as amended by section 12, chapter 288, Laws of 1961 and RCW 18.88.200; amending section 22, chapter 202, Laws of 1949 and RCW 18.88.220; amending sections 23, 24, 25, and 26, chapter 202, Laws of 1949 and RCW 18.88.230, 18.88.240, 18.88.250, and 18.88.260; amending section 15, chapter 288, Laws of 1961 and RCW 18.88.265; amending section 27, chapter 202, Laws of 1949 and RCW 18.88.270; amending section 28, chapter 202, Laws of 1949 as amended by section 13, chapter 288, Laws of 1961 and RCW 18.88.280; amending section 14, chapter 288, Laws of 1961 as amended by section 9, chapter 79, Laws of 1967 and RCW 18.88.285; adding a new section to chapter 18.88 RCW; repealing section 3, chapter 202, Laws of 1949 and RCW 18.88.040; creating new sections; and providing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2214, by Senators Dore, Knoblauch and Peterson (Ted):

An Act relating to the qualifications of jurors; and amending section 1, chapter 57, Laws of 1911 as amended by section 3, chapter 292, Laws of 1971 ex. sess. and RCW 2.36.070.

Referred to Judiciary Committee.

SENATE BILL NO. 2215, by Senators Greive, Connor, Woodall and Dore (by Joint Committee on Governmental Cooperation request):

An Act relating to state government; and adding new sections to Title 43 RCW.

Referred to Committee on State Government.

#### MOTION

On motion of Senator Dore, the rules were suspended and Senator Dore was permitted as an additional sponsor to Senate Bill No. 2215.

SENATE BILL NO. 2216, by Senators Francis, Murray, Grant, Ridder, Van Hollebeke, Gardner, Fleming and Twigg (by Executive and Secretary of State request):

An Act relating to alcoholic beverage control; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340; adding a new section to chapter 66.44 RCW;

repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; creating a new section; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

Referred to Judiciary Committee.

SENATE BILL NO. 2217, by Senators Grant and Stortini:

An Act relating to school holidays; and amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061.

Referred to Committee on Education.

#### MOTION

On motion of Senator Grant, Senator Stortini was permitted as an additional sponsor to Senate Bill No. 2217.

SENATE BILL NO. 2218, by Senators Grant and Connor:

An Act relating to school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2219, by Senators Francis, Clarke and Dore:

An Act relating to lotteries; adding a new section to chapter 229, Laws of 1943 and chapter 19.64 RCW; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2220, by Senator Atwood:

An Act relating to the department of general administration; amending section 43.01.090, chapter 8, Laws of 1965 as amended by section 1, chapter 159, Laws of 1971 ex. sess. and RCW 43.01.090; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2221, by Senators Grant, Stender and Connor (by Legislative Council request):

An Act relating to unemployment compensation; amending section 32, chapter 35, Laws of 1945 and RCW 50.04.310; amending section 19, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.323; amending section 81, chapter 35, Laws of 1945 as last amended by section 3, chapter 321, Laws of 1959 and RCW 50.20.130; establishing an effective date; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2222, by Senator Stender:

An Act relating to local government; amending section 35.21.290, chapter 7, Laws of 1965 and RCW 35.21.290; amending section 23, chapter 210, Laws of 1941 as last amended by section 5, chapter 272, Laws of 1971 ex. sess. and RCW 56.16.100; and amending section 2, chapter 108, Laws of 1959 and RCW 57.08.080.

Referred to Committee on Local Government.

SENATE BILL NO. 2223, by Senators Dore, Day, Stortini and Connor:

An Act relating to the establishment of the Washington commission for the blind; adding new sections to chapter 74.16 RCW; and declaring an emergency.

Referred to Committee on Social and Health Services.

#### MOTION

On motion of Senator Dore, the rules were suspended and Senator Connor was permitted as an additional sponsor to Senate Bill No. 2223.

SENATE BILL NO. 2224, by Senators Grant and Connor:

An Act relating to higher education; adding new sections to chapter 223, Laws of 1969



ex. sess. and to Title 28B RCW as a new chapter thereof; creating new sections; repealing sections 1, 2, 3, 4, 5, 6, 7, 8 and 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010, 28B.52.020, 28B.52.030, 28B.52.050, 28B.52.060, 28B.52.070, 28B.52.080, 28B.52.090 and 28B.52.100; and providing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2225, by Senators Atwood and Gardner:

An Act relating to revenue and taxation; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. and RCW 28A.41.130; amending section 2, chapter . . . (HB No. . . .), Laws of 1973 and RCW 28A.41.130; amending section 28B.20.394, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 107, Laws of 1972 ex. sess. and RCW 28B.20.394; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 42, Laws of 1970 ex. sess. and RCW 35A.40.090; amending section 1, chapter 25, Laws of 1971 ex. sess. and RCW 36.33.220; amending section 1, chapter 102, Laws of 1972 ex. sess. and RCW 36.40.300; amending section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060; amending section 13, chapter 288, Laws of 1971 ex. sess. and RCW 84.04.140; amending section 4, chapter 243, Laws of 1971 ex. sess. and RCW 84.34.230; amending section 84.52.010, chapter 15, Laws of 1961 as last amended by section 6, chapter 243, Laws of 1971 ex. sess. and RCW 84.52.010; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter . . . (HB No. 55), Laws of 1973 and RCW 84.52.052; amending section 84.52.056, chapter 15, Laws of 1961 and RCW 84.52.056; amending section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061; amending section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063; amending section 1, chapter 33, Laws of 1967 ex. sess. as last amended by section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065; amending section 23, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.040; adding a new section to chapter 84.52 RCW; repealing section 74.04.150, chapter 26, Laws of 1959, section 66, chapter 262, Laws of 1969 ex. sess., section 3, chapter 92, Laws of 1970 ex. sess., section 17, chapter 281, Laws of 1971 ex. sess. and RCW 74.04.150; establishing effective dates; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2226, by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry (by Executive request):

An Act relating to the lease and rental of property; amending section 9, chapter 96, Laws of 1891 as amended by section 2, chapter 123, Laws of 1927 and RCW 59.12.080; amending section 11, chapter 96, Laws of 1891 as last amended by section 4, chapter 123, Laws of 1927 and RCW 59.12.100; amending section 14, chapter 96, Laws of 1891 and RCW 59.12.121; amending section 18, chapter 96, Laws of 1891 and RCW 59.12.170; adding new sections to chapter 96, Laws of 1891 and to chapter 59.12 RCW; creating a new chapter in Title 59 RCW; creating new sections; repealing section 10, chapter 96, Laws of 1891, section 3, chapter 123, Laws of 1927 and RCW 59.12.090; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2227, by Senators Woodall, Matson, Henry and Washington:

An Act relating to courts; and amending section 5, chapter 125, Laws of 1951 as last amended by section 1, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.063.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Woodall, the rules were suspended and Senator Washington was permitted as an additional sponsor to Senate Bill No. 2227.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2203, 2216 and 2226.

## POINT OF INQUIRY

Senator Atwood: "Would Senator Mardesich yield? Do you have the concurrent resolution up there on the cutoff on the desk?"

Senator Mardesich: "They are preparing the cutoff dates and the joint rules in the House and I have asked them to submit to us the amendments in written form and they will be on your desks very shortly. If not very shortly at least they will be sent to your offices."

Senator Atwood: "Do you plan to take those up tomorrow?"

Senator Mardesich: "If they get over here from the House."

## REMARKS BY THE PRESIDENT

The President: "The Secretary has advised the President that a copy will be placed on your desks in the Senate Chamber and another copy sent to your office."

## MOTION

At 9:50 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, January 19, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWELFTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 19, 1973.

The Senate was called to order at 9:30 a.m. by the President Pro Tempore Henry. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Murray, Odegaard, Stender, Twigg and Whetzel. On motion of Senator Guess, Senators Stender and Murray were excused. On motion of Senator Scott, Senator Whetzel was excused. On motion of Senator Bailey, Senator Odegaard was excused. There being no objection, Senators Durkan and Twigg were excused.

The Color Guard consisting of Pages Stephen Jones and Shanna Southern presented the Colors. Reverend Paul F. McCann, pastor, of United Churches of Olympia, offered the following prayer:

“NEW EVERY MORNING IS YOUR LOVE, O GOD. YOU WHO HAVE BEEN OUR HELP IN AGES PAST: YOU WHO ARE OUR TRUE HOPE IN YEARS TO COME. WE PAUSE AT THE BEGINNING OF OUR WORK DAY TO ACKNOWLEDGE THAT YOU ARE WORKING STILL, THROUGH US AND IN US, AND SOMETIMES DESPITE US. WE KNOW THAT YOU WORK FOR GOOD IN THE WORLD: WE WANT TO WORK WITH YOU. MAY WE THEREFORE, TODAY AND EVERY DAY, ALIGN OURSELVES WITH THOSE CAUSES AND CONCERNS THAT ARE MOST LIKE YOURS, O GOD, JUSTICE, MERCY, BROTHERHOOD, EQUALITY, OPPORTUNITY, AND THE PERENNIAL PRIORITY OF PERSONS. WE PRAY IN THE NAME OF THE MAN WHO HAS SHOWN US YOUR WAY MOST PERFECTLY, JESUS THE CHRIST. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### MESSAGES FROM THE HOUSE

January 18, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 55 and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

January 18, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 10, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

January 18, 1973.

Mr. President: The House has passed SENATE BILL NO. 2021, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 2021.

## MOTION

At 9:40 a.m., on motion of Senator Mardesich, the Senate was declared to be at ease. President Pro Tempore Henry called the Senate to order at 10:25 a.m. There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

January 18, 1973.

SENATE BILL NO. 2006, providing for loss of hunting license for unlawfully killing certain wildlife (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

January 18, 1973.

SENATE BILL NO. 2083, enhancing the propagation of wildlife (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

January 18, 1973.

SENATE BILL NO. 2100, correcting code error in methods upon increasing number of school directors in consolidated districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Flening, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

## PERSONAL PRIVILEGE

Senator Mardesich: "I should like to explain to the members on the floor the reason for the brief Rules Committee meeting which we had. In order to facilitate the work of the Rules Committee, we have been trying to set up a procedure where Rules members will have at least one day's notice as to what bills will be coming before Rules. This will give them a chance to educate themselves before being required to vote on any particular measure. We were spelling out the procedure which we will follow in Rules. That is all we were doing. I suppose that many of you may have many questions as to what that procedure will be or is. We called the meeting simply for the membership of Rules to decide on what procedure we would follow."

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2228, by Senators Greive, Ridder, Twigg and Knoblauch:

An Act relating to revenue and taxation; and amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370.

Referred to Committee on Ways and Means.

## MOTION

On motion of Senator Ridder, the rules were suspended and Senator Knoblauch was permitted as an additional sponsor on Senate Bill No. 2228.

SENATE BILL NO. 2229, By Senators Bottiger, Clarke and Woody (by Department of Social and Health Services request):

An Act relating to administrative procedures; amending section 15, chapter 234, Laws of 1959 as last amended by section 17, chapter 57, Laws of 1971 ex. sess. and RCW 34.04.150; and declaring an emergency.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2230, by Senators Greive, Bottiger, Ridder and Connor:

An Act relating to motor vehicles; adding a new chapter to Title 46 RCW; adding a new section to chapter 169, Laws of 1963 and to chapter 46.29 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Transportation and Utilities.

## MOTION

Senator Mardesich moved that the Senate be at recess until 11:00 a.m.

## REMARKS BY SENATOR GREIVE

Senator Greive: "Mr. President, before we go to caucus I would suggest that the bill which you just referred to Transportation be referred to Judiciary where all the other no-fault bills were referred. It is a no-fault bill. I think they all belong in the same committee. I wouldn't care where it goes but I think all of them should be in the same committee."

## REMARKS BY SENATOR FRANCIS

Senator Francis: "Mr. President, that has been the prior ruling consistently this session and I think that we should continue to follow that."

## REMARKS BY SENATOR WALGREN

Senator Walgren: "I recognize that probably some people do not like to ask me about these things, what my views are on it, but probably it will be the first time I will agree with Senator Greive this session. And I do think that the bill probably should be sent to Judiciary. I have no objection."

## POINT OF ORDER

Senator Mardesich: "I think I made the motion to recess which takes precedence over the matter brought up subsequent to that motion."

## REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "That is true, Senator. We were in the middle of a bill and I was trying to decide whether to leave it in limbo or to follow the democratic process. Did I understand Senator Walgren to say that you had no objections particularly?"

Senator Walgren: "If it is a no-fault bill."

President Pro Tempore Henry: "Well, if there is no objection the Senate will now recess in order of priority and when we come back then I will refer it to the Committee on Judiciary."

## MOTION

At 10:30 a.m., on motion of Senator Mardesich, the Senate recessed until 11:10 a.m.

## SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 11:10 a.m.

There being no objection, Senate Bill No. 2230 was referred to the Judiciary Committee.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2231, by Senators Bottiger and Gardner:

An Act relating to lobbyist reporting; and amending section 19, chapter 1, Laws of 1973 (Initiative Measure No. 276, section 19) and RCW 42.17.190.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2232, by Senators Bottiger and Canfield (by Permanent Property Tax Committee request):

An Act relating to the board of tax appeals; and amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2233, by Senators Greive, Bottiger and Ridder:

An Act relating to motor vehicles; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 24, Laws of 1972 ex. sess. and RCW 82.36.020; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; and amending section 19, chapter 22, Laws of 1963 ex. sess. as amended by section 5, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.190.

## MOTION

On motion of Senator Walgren, Senate Bill No. 2233 was referred to the Committee on Ways and Means.

SENATE BILL NO. 2234, by Senator Rasmussen:

An Act relating to schools; and amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 42, Laws of 1970 ex. sess. and RCW 28A.51.020.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2235, by Senators Walgren and Herr:

An Act relating to absentee voting; amending section 29.36.040; chapter 9, Laws of 1965 and RCW 29.36.040; and amending section 29.36.095, chapter 9, Laws of 1965 as amended by section 39, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.095.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2236, by Senators Talley, Peterson (Lowell) and Wanamaker:

An Act relating to vehicle licenses; amending section 46.16.220, chapter 12, Laws of 1961 as amended by section 9, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.220.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2237, by Senators Talley, Stender and Fleming:

An Act relating to sewer districts; and adding a new section to chapter 210, Laws of 1941 and to chapter 56.20 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2238, by Senators Gardner, Murray and Walgren:

An Act relating to navigation and harbors; and adding new sections to chapter 88.16 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2239, by Senators Murray, Gardner and Walgren:

An Act relating to navigation and harbors; and adding a new section to chapter 88.16 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2240, by Senators Bottiger, Clarke and Woody (by Department of Social and Health Services request):

An Act relating to interstate parole and probation hearing procedures; adding a new chapter to Title 9 RCW; and declaring an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2241, by Senators Scott, Ridder, Murray, Francis, Jones and Sandison (by Attorney General request):

An Act relating to consumer protection; authorizing the director of agriculture to require unit pricing; creating a new chapter in Title 19 RCW; providing an effective date; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2242, by Senators Greive, Bottiger and Twigg:

An Act relating to the retirement of judges; and amending section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012.

Referred to Judiciary Committee.

SENATE BILL NO. 2243, by Senators Clarke, Bottiger, Woody and Francis (by Department of Social and Health Services request):

An Act relating to terms of imprisonment; amending section 7, chapter 133, Laws of 1955 as last amended by section 46, chapter 81, Laws of 1971 and RCW 9.95.060; and adding new sections to chapter 9.95 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2244, by Senators Clarke, Francis and Bottiger (by Department of Social and Health Services request):

An act relating to preliminary hearings for parole and probation revocation proceedings; adding new sections to chapter 9.95 RCW; and declaring an emergency.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2245, by Senators Walgren and Wanamaker:

An Act relating to the marine employee commission; and amending section 47.64.020, chapter 13, Laws of 1961 and RCW 47.64.020.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2246, by Senators Walgren, Sandison and Guess:

An Act relating to motor vehicle rules of the road; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2247, by Senators Mardesich, Grant, Bailey, Ridder, Bottiger and Walgren:

An Act relating to revenue and taxation; adding a new title to the Revised Code of Washington; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.050; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961

as last amended by section 3, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 4, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.250; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270; amending section 82.04.280, chapter 15, Laws of 1961 as last amended by section 5, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; adding new sections to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; repealing section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110; repealing section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120; repealing section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; repealing section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140; adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW; adding a new section to chapter 15, Laws of 1961 and to chapter 84.52 RCW; creating new sections; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2248, by Senators Woody, Atwood and Bottiger:

An Act relating to court reporters; amending section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 244, Laws of 1957 and RCW 2.32.180; and adding new sections to chapter 2.32 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2249, by Senators Peterson (Lowell), Wanamaker and Herr (by Municipal Committee request):

An Act relating to nonpartisan primaries and elections; and adding a new section to chapter 29.21 RCW.

Referred to Committee on Local Government.

## MOTION

On motion of Senator Peterson (Lowell), the rules were suspended and Senator Herr was permitted as an additional sponsor on Senate Bill No. 2249.

SENATE BILL NO. 2250, by Senators Henry and Woodall:

An Act relating to motor vehicles; amending section 46.44.040, chapter 12, Laws of 1961 as amended by section 1, chapter 244, Laws of 1971 ex. sess. and RCW 46.44.040; amending section 46.44.047, chapter 12, Laws of 1961 as last amended by section 2, chapter 249, Laws of 1971 ex. sess. and RCW 46.44.047; and amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 55, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.095.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2251, by Senators Francis, Bottiger and Clarke (by Secretary of State request):



An Act relating to corporations; and amending section 9, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.045.

Referred to Judiciary Committee.

SENATE BILL NO. 2252, by Senators Woody, Francis and Clarke (by Secretary of State request):

An Act relating to foreign corporations; and amending section 114, chapter 53, Laws of 1965 as amended by section 2, chapter 22, Laws of 1971 and RCW 23A.32.060.

Referred to Judiciary Committee.

SENATE BILL NO. 2253, by Senators Francis and Woody (by Secretary of State request):

An Act relating to nonprofit corporations; and amending section 81, chapter 235, Laws of 1967 and RCW 24.03.400.

Referred to Judiciary Committee.

SENATE BILL NO. 2254, by Senators Bottiger, Clarke and Woody (by Secretary of State request):

An Act relating to corporations; amending section 58, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.290; amending section 90, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.450; and amending section 91, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.455.

Referred to Judiciary Committee.

SENATE BILL NO. 2255, by Senators Francis, Clarke and Woody (by Secretary of State request):

An Act relating to corporate filing; and amending section 51, chapter 53, Laws of 1965 as last amended by section 1, chapter 133, Laws of 1971 ex. sess. and RCW 23A.08.480.

Referred to Judiciary Committee.

SENATE BILL NO. 2256, by Senators Bottiger, Clarke, Francis, Matson, Sellar, Jones and Fleming (by Department of Social and Health Services request):

An Act relating to juvenile probation services; amending section 5, chapter 165, Laws of 1969 ex. sess. as amended by section 1, chapter 165, Laws of 1971 ex. sess. and RCW 13.06.050; and declaring an emergency and making an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2257, by Senators Francis, Bottiger and Clarke (by Secretary of State request):

An Act relating to vehicles; and amending section 46.64.040, chapter 12, Laws of 1961 as amended by section 1, chapter 69, Laws of 1971 ex. sess. and RCW 46.64.040.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2258, by Senators Francis, Bottiger and Clarke (by Secretary of State request):

An Act relating to corporate filing; and amending section 89, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.445.

Referred to Judiciary Committee.

SENATE BILL NO. 2259, by Senators Bottiger and Clarke (by Secretary of State request):

An Act relating to commercial transactions; and amended by section 9-407, chapter 157, Laws of 1965 ex. sess. as amended by section 10, chapter 114, Laws of 1967 and RCW 62A.9-407.

Referred to Judiciary Committee.

SENATE BILL NO. 2260, by Senators Wanamaker and Francis (by Secretary of State request):

An Act relating to copyright protection; amending section 4, chapter 218, Laws of 1937 as amended by section 1, chapter 40, Laws of 1967 and RCW 19.24.040; amending section 5, chapter 218, Laws of 1937 and RCW 19.24.050.

Referred to Judiciary Committee.

SENATE JOINT MEMORIAL NO. 102, by Senators Atwood, Newschwander and Day: Requesting congress to allow federally-related public assistance mail to be sent under frank or at negotiated rates.

Referred to Committee on Social and Health Services.

#### MOTION

On motion of Senator Day, Senator Day was permitted as an additional sponsor to Senate Joint Memorial No. 102.

SENATE JOINT RESOLUTION NO. 109, by Senators Grant, Ridder, Mardesich, Bailey, Walgren, Bottiger and Jolly:

Amending Constitution to authorize revision in tax structure.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Grant, the rules were suspended and Senator Jolly was permitted as an additional sponsor on Senate Joint Resolution No. 109.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2241, 2243, 2247 and 2256.

HOUSE CONCURRENT RESOLUTION NO. 10, by Committee on Rules: Representatives Sawyer, Charette, O'Brien, Chatalas, Thompson, May, Jastad, Newhouse, Juelling, Berentson, Flanagan, Swayze, Gallagher, Connor, Anderson and Morrison: Adopting the joint rules.

On motion of Senator Mardesich, the rules were suspended, House Concurrent Resolution No. 10 was advanced to second reading and read the second time in full.

Senator Ridder moved adoption of the following amendment by Senators Ridder, Van Hollebeke, Greive, Connor and Washington:

Add a new paragraph to Joint Rule No. 7 on page 260 of the 1971 Legislative Manual to read as follows:

*"All deliberations of the conference committee shall be held subject to reasonable notice and shall be open to the public."*

#### MOTION

Senator Herr moved that the amendment by Senators Ridder, Van Hollebeke, Greive, Connor and Washington be laid upon the table.

Senator Ridder demanded a roll call and the demand was sustained by Senators Herr, Metcalf, Fleming, Greive, Connor, Washington, Francis, Dore and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the amendment was laid upon the table by the following vote: Yeas, 29; Nays, 14; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Guess, Henry, Herr, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Walgren, Wanamaker, Woodall, Woody—29.

Voting nay: Senators Connor, Dore, Fleming, Francis, Gardner, Grant, Greive, Jolly, Knoblauch, Ridder, Stortini, Talley, Van Hollebeke, Washington—14.

Excused: Senators Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—6.

#### PERSONAL PRIVILEGE

Senator Dore: "Senator Atwood made a misstatement that I held up this body in the conference committee for two weeks. I never held it up for a single day. The budget and the tax bill had never been completed at that time and I think it is necessary for me to clarify the record when this is made public."

Senator Ridder moved adoption of the following amendment by Senators Ridder, Connor, Washington, Greive and Van Hollebeke to Joint Rule No. 12 on page 262 of the 1971 Legislative Manual as follows:

Strike the last sentence of the rule and insert "[The report must be voted upon in its entirety and cannot be amended.] *All conference committee reports shall be submitted subject to amendment at least three days before final action is taken by the committee.*"

#### MOTION

Senator Walgren moved that the amendment by Senators Ridder, Connor, Washington, Greive and Van Hollebeke be laid upon the table.

Senator Ridder demanded a roll call and the demand was sustained by Senators Greive, Dore, Connor, Washington, Grant, Van Hollebeke, Francis, Stortini and Knoblauch.

#### ROLL CALL

The Secretary called the roll and the amendment was laid upon the table by the following vote: Yeas, 36; nays, 7; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Wanamaker, Woodall, Woody—36.

Voting nay: Senators Connor, Dore, Francis, Greive, Van Hollebeke, Washington—7.

Excused: Senators Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—6.

#### MOTION

At 12:00 noon, on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

There being no objection, Senator Bailey was excused.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

January 19, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 55, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 55.

## SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 10 (by Committee on Rules):

Adopting the joint rules.

The Senate resumed consideration of House Concurrent Resolution No. 10 on second reading.

Senator Ridder moved adoption of the following amendment by Senators Ridder, Connor, Washington, Greive and Van Hollebeke to Joint Rule No. 12 on page 262 of the 1971 Legislative Manual:

Strike the last sentence of the rule and insert “[The report must be voted upon in its entirety and cannot be amended.] *A conference committee report may be amended on the floor and returned to the committee which shall have three days to either accept or reject such floor amendments without change.*”

## MOTIONS

There being no objection, on motion of Senator Greive, the amendment by Senators Ridder, Connor, Washington, Greive and Van Hollebeke was withdrawn.

Senator Greive moved adoption of the following amendment:

“*NEW RULE.* Rule . . . There is added to the Joint Rules of the Senate and House of Representatives a new rule to read as follows:

Every legislator shall disclose the provisions of any contract between the state or any of its political subdivisions and himself, any partnership trust, or joint venture in which he has a ten percent financial interest or any corporation in which he holds ten percent of the outstanding shares of stock.”

Senator Greive demanded a roll call and eight members, Senators Connor, Washington, Stortini, Ridder, Dore, Knoblauch, Metcalf and Greive stood to sustain the demand.

President Pro Tempore Henry declared the demand for the roll call was not sustained.

## POINT OF ORDER

Senator Greive: “Mr. President, I think you will find that eight does sustain the demand for a roll call. It goes by how many members are on the floor and that happens to be one-sixth of those presently sitting on the floor. I raise that question at this time.”

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “The point of order as raised by Senator Greive is well taken.”

The demand for the roll call was sustained under the ruling by the President Pro Tempore.

## POINT OF INQUIRY

Senator Canfield: “Would Senator Greive yield? Senator, as you know, an open spaces act and supposing any legislator in the House or the Senate had some real estate which was put in the open spaces act under an arrangement with the county assessor as provided, would those arrangements have to be filed under this amendment?”

Senator Greive: “Senator, this is the first time I have ever faced this particular question so I will only have to do the best I can with what we lawyers call a ‘horseback opinion’, one that has not been briefed. In my opinion it would not have to be disclosed. It would seem to me that that is not a contract. That is merely a provisional law and you are invoking it just as a person might invoke some tax exemptions if you are beyond a certain age and you fit certain categories with respect to income as we have put it in there. So I do not think that that is covered here. It conceivably might. Does that answer your question?”

Debate ensued.

## POINT OF INQUIRY

Senator Canfield: "Going back to that same problem, would we have to file an arrangement with regard to a soil conservation district, for instance, or with an irrigation district, which are political subdivisions? I think we are getting into a lot of deals here that would be very complicated and are not really relevant to what you are trying to get at."

Senator Greive: "I think the answer to that is simple. That is already disclosed. Nothing here says it has to be disclosed nor is it intended to have to be disclosed with your code of ethics particularly. For instance, we have got one Senator who represents a city as a lawyer. That is disclosed. I am sure that it is in the budget and there would be no reason why we would have to have it disclosed again. His contract I am sure is public property as it would have to be. So I would suspect that the contract with which you are dealing is already disclosed and the rule would have no particular effect on it. All it says here is every legislator shall disclose, that does not mean that he has to disclose in his code of ethics statement."

## ROLL CALL

The Secretary called the roll and the amendment by Senator Greive failed by the following vote: Yeas, 10; nays, 32; excused, 7.

Voting yea: Senators Connor, Dore, Fleming, Grant, Greive, Metcalf, Ridder, Scott, Talley, Washington—10.

Voting nay: Senators Atwood, Bottiger, Canfield, Clarke, Day, Donohue, Francis, Gardner, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—32.

Excused: Senators Bailey, Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—7.

Senator Greive moved adoption of the following amendment:

*"NEW RULE.* Rule . . . . There is added to the Joint Rules of the Senate and House of Representatives a new rule to read as follows:

Every legislator who is a lawyer, insurance broker, real estate appraiser, accountant or other professional, and who individually or whose firm has a client which is a person, corporation, partnership joint venture, union, association or other entity regulated by the state, shall publish a schedule of fees charged such client and state the amount of time spent performing the work during the twenty-four months immediately preceding the first day of a legislative session."

## MOTION

Senator Mardesich moved that the amendment by Senator Greive be laid upon the table.

Senator Greive demanded a roll call on the motion by Senator Mardesich and the demand was sustained by Senators Herr, Stortini, Connor, Ridder, Dore, Van Hollebeke, Knoblauch and Greive.

## ROLL CALL

The Secretary called the roll and the motion by Senator Mardesich carried. The amendment by Senator Greive was laid upon the table by the following vote: Yeas, 26; nays, 14; absent or not voting, 2; excused, 7.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Day, Donohue, Guess, Henry, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Sellar, Talley, Walgren, Wanamaker, Woodall, Woody—26.

Voting nay: Senators Connor, Dore, Fleming, Grant, Greive, Herr, Knoblauch, Peterson (Ted), Ridder, Sandison, Scott, Stortini, Van Hollebeke, Washington—14.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senators Bailey, Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—7.

Senator Greive moved adoption of the following amendment:

“*NEW RULE.* Rule . . . There is added to the Joint Rules of the Senate and House of Representatives a new rule to read as follows:

No legislator shall accept lodging or travel provided by a lobbyist, or allow a lobbyist to pay bills for travel and lodging which, over a twenty-four month period, total more than one hundred dollars in value:

PROVIDED, That this rule shall not apply where such traveling and lodging is received by the legislator in pursuing an occupation other than that of legislator.”

#### MOTION

Senator Walgren moved that the amendment by Senator Greive be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Stortini, Greive, Van Hollebeke, Ridder, Jolly, Washington, Connor and Knoblauch.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Walgren failed by the following vote: Yeas, 19; nays, 21; absent or not voting, 2; excused, 7.

Voting yea: Senators Atwood, Bottiger, Clarke, Donohue, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Matson, Newschwander, Peterson (Lowell), Sandison, Sellar, Talley, Walgren, Woodall, Woody—19.

Voting nay: Senators Canfield, Connor, Day, Dore, Fleming, Grant, Greive, Jolly, Jones, Knoblauch, Lewis (Bob), Marsh, Metcalf, Peterson (Ted), Rasmussen, Ridder, Scott, Stortini, Van Hollebeke, Wanamaker, Washington—21.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senators Bailey, Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—7.

#### POINT OF INQUIRY

Senator Woodall: “Would Senator Greive yield to a question? Senator Greive, on an occasion when there was a death in my family, a utility company offered to and did fly me in their plane to eastern Washington and return. Now under this particular provision as written, would that be verboten if the gas and oil consumed in this particular plane on flying me home to attend a funeral and back exceeded the sum of one hundred dollars? Would I be barred under this provision of accepting that ride to eastern Washington?”

Senator Greive: “Senator, in the first place I think that the proviso would cover it but I am perfectly willing to put this matter off for a very few minutes and to cover that if it does not, but I will read it to you. ‘This rule shall not apply where the traveling and lodging is received by the legislator pursuing an occupation other than that of a legislator.’ I do not know that you went home in any way connected with legislation. I do not see any reason why they could not do anything they wanted in that particular connection. However, if you do not think this is sufficient, I would be perfectly willing to make such an amendment.”

#### POINT OF INQUIRY

Senator Lewis (Harry): “Will Senator Greive yield to another question? Senator Greive, in an actual circumstance this fall the WEA advised me that there was to be an important hearing in Washington, D.C. and asked if I would take the time from my business and my family to go back and attend this hearing. I was unable to do that but possibly they asked Senator Ridder or other members of this body to go back in the hope that what we would receive would help us have a better understanding of problems as they relate to this state. Would the cost of this type of trip be prohibited in your proposed new rule?”

Senator Greive: “A great deal would depend upon what you are doing back there. I

believe it would not. 'This rule shall not apply to traveling and lodging received by a legislator pursuing an occupation other than that of legislator.' For instance, if you were asked to observe for them and to bring back to their organization information, you would not be involved or it would not involve the rule. However, if it was in some way designed in your legislative capacity, for instance, let us assume that you had the right to the trip and they were going to pay for it and you were going to pocket the money by the state which I presume you have the right to do if you went by some other means, I do not know. I imagine that it would be covered. So now we have the two extremes. Again I make the same offer that I have made before. I am perfectly willing to delay this long enough to cover both of these situations, because I think both of them are legitimate. In discussing this it seemed to me that in most cases where a person would be traveling, they would be asked to make a speech to an organization, which is not in their capacity as a legislator. It is true being a legislator is something that gives them the status but the speech itself is to the organization, for the organization's benefit. If they ask you to bring back information to their organization, then you would be exempt because you did it for their benefit and so I really think that that situation is exempt."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Greive yield further? Senator, I want your interpretation on this. 'No legislator shall accept lodging or travel provided by a lobbyist.' Does this mean that you could receive one hundred dollars from one hundred lobbyists or one hundred dollars total from all lobbyists?"

Senator Greive: "Senator, it is going to be tough enough to get this passed if we do."

Senator Canfield: "I know that but that does not answer my question."

Senator Greive: "To want to make it tougher is to put the onus on those of us who think the rule should be adopted. I would suggest that we pass this one and if you have another one that makes it tougher let us discuss that. Right now it probably means that a number of different lobbyists could give you money and maybe even two lobbyists in the same company. But at least this is a beginning."

Senator Canfield: "I am not clear yet. Would the sum total you were permitted to receive under this without reporting be one hundred dollars?"

Senator Greive: "This is meant to be . . ."

Senator Canfield: "Senator, could we have a yes or no and make it crystal clear?"

Senator Greive: "The trouble is a yes or no will not make it crystal clear."

Senator Canfield: "Thank you."

Further debate ensued.

The President declared the question before the Senate to be the adoption of the amendment by Senator Greive.

Senator Greive demanded a roll call and the demand was sustained by Senators Washington, Connor, Van Hollebeke, Jolly, Ridder, Dore, Greive, Knoblauch and Stortini.

#### ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 11; nays, 29; absent or not voting, 3; excused, 6.

Voting yea: Senators Connor, Dore, Greive, Jolly, Knoblauch, Peterson (Ted), Ridder, Scott, Stortini, Van Hollebeke, Washington—11.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Grant, Guess, Henry, Herr, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Peterson (Lowell), Sandison, Sellar, Talley, Walgren, Wanamaker, Woodall, Woody—29.

Absent or not voting: Senators Francis, Gardner, Rasmussen—3.

Excused: Senators Durkan, Murray, Odegaard, Stender, Twigg, Whetzel—6.

There being no objection, the amendment on the secretary's desk by Senator Greive to the Joint Rules adding a NEW RULE was withdrawn.

Senator Mardesich served notice that every Senator who wishes to explain his vote

today, may make entry in the journal with respect to the subject matter before the Senate this date.

Senator Greive served notice that he would agree providing that any Senator who desired to make a rejoinder be permitted the same privilege.

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Both notices are duly received. The only comment I have heard I have agreed with so far is in the charging of fees. And I think that most professions charge according to the amount of money you have."

#### POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Mardesich yield? You mean by that that we could make an explanation as to why we voted as we did here? Mr. President, could I do that now?"

President Pro Tempore Henry: "You would submit it in writing, Senator."

#### PERSONAL PRIVILEGE

Senator Peterson (Ted): I have felt right along that this is the wrong place to insert anything in the rules like this. But I do feel that we should have followed through on the legislative code of ethics which really would have meant something. I think 276 would cover it but because of my uncertainty there I felt that I should be on record as having been for this because I think this is what we need. We have needed it right along and with the condition of the Senate now and with the things that are going on we need it that much more. I would like to have my people know that I am responsible and I am willing to disclose anything. It happens that I have done business and do business with the state and I could not in good conscience vote against this."

#### POINT OF ORDER

Senator Woodall: "This is not personal privilege."

Senator Peterson (Ted): "The Senator does not want me to tell the facts, I am just telling you now that this is the way I feel and I think I have the right to explain this on the floor. And it is about time that we do some explaining so that the public will know where we stand."

On motion of Senator Mardesich, the rules were suspended, House Concurrent Resolution No. 10 was advanced to third reading, the second reading considered the third, the resolution was placed on final passage and adopted.

#### MOTIONS

On motion of Senator Mardesich, the rules were suspended and the Senate commenced consideration of Senate Resolution 1973-11.

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-11

By Senator Mardesich:

BE IT RESOLVED, That the permanent rules of the Forty-third Legislature be adopted as the permanent rules with the following amendment:

Amend the first paragraph of Rule 58 to read as follows:

"Rule 58. All bills, resolutions and memorials to be introduced shall be in quintuplet, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee



bills which shall be in accordance with the joint rules of the senate and house: PROVIDED, HOWEVER, That any member desiring to introduce a bill, joint resolution or memorial shall file the same with the secretary of the senate by [five o'clock] *three o'clock* [on the evening] *in the afternoon* of the day before the convening of the session at which said bill, resolution or memorial is to be introduced: *PROVIDED FURTHER, That on the thirty-fifth legislative day of the session the filing with the secretary of the senate will be extended to five o'clock in the evening*; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the secretary at the time above stated."

#### MOTIONS

On motion of Senator Walgren, the Committee on Ways and Means was relieved of further consideration of Senate Bill No. 2233.

Senator Walgren moved that Senate Bill No. 2233 be referred to the Committee on Transportation and Utilities.

#### POINT OF INQUIRY

Senator Lewis (Harry): "I would like to question Senator Walgren a little bit about what your purpose is in moving this bill?"

Senator Walgren: "Senator Lewis, it was originally referred to the Committee on Transportation and Utilities. I thought that because it was a matter relating to an increase in the gas tax that perhaps it should go to Ways and Means and it appears that if it is a gas tax measure that it should be considered by Transportation and Utilities as these measures have been considered before."

The motion by Senator Walgren carried. Senate Bill No. 2233 was re-referred to the Committee on Transportation and Utilities.

#### MOTION

At 2:30 p.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Monday, January 22, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTEENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, January 22, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Durkan. There being no objection, Senators Dore and Durkan were excused.

The Color Guard, consisting of Pages Bob Seamans and Jeri Hudlow, presented the Colors. Reverend J. Alan Justad, minister of First United Methodist Church of Olympia, offered the following prayer:

"O GOD AND FATHER OF US ALL, WE KNOW OF NO BETTER WAY TO BEGIN THE WEEK THAN BY LIFTING OUR HEARTS UNTO THEE IN PRAYER, AND BY PLEDGING UNTO THEE THE DESIRE OF OUR HEARTS TO SERVE THEE BY DEVOTING OURSELVES TO THE WELFARE OF OUR GREAT STATE OF WASHINGTON AND TO THE WELL-BEING OF OUR FELLOW CITIZENS. BLESS THE LIEUTENANT GOVERNOR AND EACH SENATOR HERE GATHERED AND WE WOULD LIFT UNTO THY LOVING PRESENCE THEIR FELLOW LEGISLATORS IN THE HOUSE OF REPRESENTATIVES. THE GOVERNOR AND HIS EXECUTIVE BRANCH AND THE JUSTICES OF THE SUPREME COURT AS SERVING TOGETHER THESE ELECTED PUBLIC SERVANTS SEEK THY WILL TO PERFORM THEIR CHALLENGING DUTIES FOR THE GOOD OF ALL.

"IN THE TENSE WILDERNESS OF OUR HUMAN RELATIONSHIPS REVEAL TO US THY WILL. IN THE DENSE DARKNESS OF OUR DAY, LET THY LIGHT SHINE UPON OUR PATH. IN THE CONFUSION OF CONFLICTING COUNSELS GIVE US WISDOM TO SEE CLEARLY THE SIGNS OF THE TIMES AND THE COURAGE TO WALK WORTHILY IN THE WAY OF THY WORD TO US. WE WOULD PRAY THAT THE LASTING VALUES OF OUR DECISIONS MADE HERE WILL BE COMPARED BY THE GENERATIONS TO COME AS MATCHING THE BEAUTY AND GLORY OF OUR GREAT PACIFIC NORTHWEST. IN THE MASTER'S NAME WE PRAY. AMEN."

## MOTION

On motion of Senator Woodall, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

January 17, 1973.

SENATE BILL NO. 2078, implementing law relating to public records and their retention, protection, disposal or reproduction (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2080, amending the law relating to fees of superior court clerks (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2082, establishing a position for a county clerk on the judicial council (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

January 19, 1973.

SENATE JOINT RESOLUTION NO. 103, providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE JOINT RESOLUTION NO. 107, amending the Constitution to allow pro tempore appointments to the court of appeals (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE HOUSE

January 19, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2021, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

At 11:10 a.m., on motion of Senator Bailey, the Senate recessed until 11:45 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:45 a.m.

#### MOTION

Senator Mardesich moved that all bills, memorials and resolutions be referred to the committees as indicated on the Senate Short Title and Referral sheet.

Senator Greive objected.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2087, by Senators Woodall, Durkan and Bottiger (by Legislative Council request):

An Act relating to insurance; providing when property insurance may be canceled; and adding a new section to chapter 48.01 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2261, by Senators Metcalf and Murray:

An Act relating to public officials; prescribing procedures; and adding a new chapter to Title 42 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2262, by Senators Talley, Sellar and Ridder:

An Act relating to cities and towns; and amending section 3, chapter 95, Laws of 1971 ex. sess. and RCW 35.13A.030.

Referred to Committee on Local Government.

SENATE BILL NO. 2263, by Senator Grant:

An Act relating to school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2264, by Senators Guess and Henry:

An Act relating to motor vehicles; adding a new section to chapter 12, Laws of 1961 and to chapter 46.37 RCW; and providing penalties.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2265, by Senators Sandison and Lewis (Harry):

An Act relating to judges; amending section 7, chapter 125, Laws of 1951 as last amended by section 2, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.065; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2266, by Senators Durkan, Ridder and Peterson (Ted) (by Public Employees and Law Enforcement Officers and Fire Fighters Retirement Board request):

An Act relating to public employment; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.030; amending section 3, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.045; amending section 5, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.050; amending section 8, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.080; amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.100; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.110; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 8, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.120; amending section 14, chapter 209, Laws of 1969 ex. sess. as amended by section 9, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.140; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.160; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.200; amending section 4, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.040; amending section 18, chapter 209, Laws of 1969 ex. sess. as amended by section 13, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.190; and declaring an emergency.

Referred to Committee on Local Government.

## SENATE BILL NO. 2267, by Senator Waigren:

An Act relating to community colleges; creating the fire training advisory board to the coordinating council for occupational education; adding new sections to chapter 28B.50 RCW; and declaring an emergency.

Referred to Committee on Higher Education.

## SENATE BILL NO. 2268, by Senators Bottiger, Woodall, Sellar and Wanamaker:

An Act relating to the regulation of the sale of lands; creating a new chapter in Title 58 RCW; and prescribing penalties.

Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2268.

## SENATE BILL NO. 2269, by Senators Matson and Woodall:

An Act relating to revenue and taxation; and amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080.

Referred to Committee on Ways and Means.

## SENATE BILL NO. 2270, by Senators Bottiger, Woodall and Marsh:

An Act relating to motor vehicles; amending section 8, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.060; and prescribing penalties.

Referred to Judiciary Committee.

## SENATE BILL NO. 2271, by Senator Durkan:

An Act relating to the creation and organization of the county of Cascade, subject to the requirements of the state Constitution and the statutes in respect to the establishment of new counties; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

## SENATE BILL NO. 2272, by Senators Matson and Washington:

An Act relating to open public meetings; and amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110.

Referred to Committee on State Government.

## SENATE BILL NO. 2273, by Senators Stortini, Metcalf and Knoblauch:

An Act relating to education; amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.010; amending section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 48, Laws of 1971 and RCW 28A.04.040; amending section 28A.04.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.070; amending section 28A.04.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.080; repealing section 28A.04.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.020; repealing section 28A.04.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.030; repealing section 28A.04.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.050; and repealing section 28A.04.060, chapter 223, Laws of 1969 ex. sess., section 25, chapter 283, Laws of 1969 ex. sess. and RCW 28A.04.060.

Referred to Committee on Education.

## SENATE BILL NO. 2274, by Senators Sandison and Fleming (by Joint Committee on Higher Education request):

An Act relating to the practice of dentistry; and adding new sections to chapter 18.32 RCW.

Referred to Committee on Social and Health Services.

## SENATE BILL NO. 2275, by Senators Guess, Woodall and Keefe:

An Act relating to the Uniform Alcoholism and Intoxication Treatment Act; and amending section 31, chapter 122, Laws of 1972 ex. sess.

Referred to Committee on Social and Health Services.

## SENATE BILL NO. 2276, by Senator Rasmussen:

An Act relating to the law against discrimination; amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as amended by section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.030; amending section 8, chapter 270, Laws of 1955 as last amended by section 1, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as amended by section 2, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.130; amending section 9, chapter 37, Laws of 1957 as last amended by section 3, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 4, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.190; and amending section 11, chapter 37, Laws of 1957 as last amended by section 5, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.200.

Referred to Committee on Labor.

## SENATE BILL NO. 2277, by Senator Rasmussen:

An Act relating to motor vehicles; adding a new section to chapter 46.61 RCW; and providing penalties.

Referred to Judiciary Committee.

## SENATE BILL NO. 2278, by Senators Durkan, Dore and Lewis (Harry):

An Act relating to insurance; and amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 3, chapter 40, Laws of 1969 ex. sess. and RCW 46.52.130.

Referred to Committee on Transportation and Utilities.

## SENATE BILL NO. 2279, by Senators Gardner, Scott and Peterson (Lowell):

An Act relating to the payment of substitutes for certain certificated school district personnel; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and declaring an emergency.

Referred to Committee on Education.

## SENATE JOINT MEMORIAL NO. 103, by Senators Rasmussen, Grant and Metcalf:

Petitioning Congress to repeal the war powers act on the conclusion of the Vietnam conflict.

Referred to Committee on State Government.

## SENATE JOINT MEMORIAL NO. 104, by Senators Greive, Keefe and Ridder:

Requesting a federal constitutional convention to authorize expenditure of public funds in aid of nonpublic education.

Referred to Committee on Education.

SENATE JOINT RESOLUTION NO. 110, by Senators Bailey, Scott and Fleming (by Executive and Washington State Women's Council request):

Ratifying federal equal rights amendment.

Referred to Committee on Constitution and Elections.

## MOTION

On motion of Senator Washington, the following resolution was adopted:

## SENATE RESOLUTION 1973-12

By Senators Washington and Sellar:

WHEREAS, The health needs of the Grand Coulee Dam area cannot be adequately met without the services of a local hospital which is open to all citizens of the area; and

WHEREAS, The privately owned hospital which operated successfully for a number of years recently closed because of financial difficulties; and

WHEREAS, The U. S. Bureau of Reclamation and the prime contractor on the construction of the Grand Coulee Dam Third Power Plant are required to provide adequate health care for their employees; and

WHEREAS, St. Luke's Hospital of Spokane is willing to operate the recently closed hospital on a contract basis and provide hospital service for the Bureau of Reclamation, the contractor and the general public; and

WHEREAS, The U. S. Bureau of Reclamation must expend a substantial amount of public money to carry out its medical responsibilities by establishing a private infirmary for the sole use of its own employees and those of the contractor or by subsidizing the operation of the existing hospital facilities which can be utilized by all the people in the area; and

WHEREAS, Since federal public funds will be used in one way or another for hospital services in the Grand Coulee Dam area, it appears that the money should be expended to provide the best possible health facilities for all residents of the area and not just to provide services for the employees of the Bureau of Reclamation and the contractor;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, That the U. S. Bureau of Reclamation, in expending funds for health purposes in the Grand Coulee Dam area, give serious consideration to utilizing such funds for the reopening of the existing hospital, to the end that hospital service may be made available to all citizens of the area.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to the Commissioner of Reclamation and to the Washington State Congressional Delegation.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2048, by Senators Woody, Francis and Jones:

Changing the control period for destruction of court records.

The bill was read the second time by sections.

On motion of Senator Woody, the rules were suspended, Senate Bill No. 2048 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2048, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2048, having received the 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. 2054, by Senators Henry and Wanamaker (by Department of Motor Vehicles request):

Providing a ten dollar fee for reinstatement of drivers' licenses.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 2054 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINTS OF INQUIRY

Senator Talley: "I wonder if Senator Henry would submit to a question? The way I read this bill it requires a ten dollar payment to get your driver's license back if you have been convicted in court. Now this would not apply to someone who has lost it for medical reasons or otherwise?"

Senator Henry: "That is correct. Part 3 of the bill also says that the time of suspension starts at the time that the driver's license has been turned in, because, that is the new matter in the bill for anybody that is interested in it. The reason being is that a lot of people ignore suspension and do not turn their driver's licenses in. And this will start the suspension at the time that the licenses have been received. The purpose of raising the fees, of course, is that the study shows it costs nine dollars and fifty cents to process a suspended driver's license now and some two million drivers who do not have bad driving records are subsidizing those that do."

Senator Talley: "That was the only point that I wanted to bring out, that it does not apply to somebody that has lost it for medical reasons or purposes like that."

Senator Bailey: "Would Senator Henry answer a question? Senator Henry, I thought an amendment was being prepared for this bill but do you read this bill then to mean that if a man has his license suspended for three years, and he surrenders it to the judge or to the officer, and that officer or judge is not a very good bookkeeper and doesn't bother to get it up to DMV for six or eight months, then would you mean that the driver is not going to get his license for three years and eight months, due to no fault of his own?"

Senator Henry: "The legislative intent, I think that is what you are trying to get into the record, is that his suspension starts from the time that he surrenders his driver's license, no matter who he . . ."

Senator Bailey: "To any official?"

Senator Henry: "To any official."

## POINT OF INQUIRY

Senator Stender: "Will Senator Henry yield to a further question? I am interested in knowing how they separate this cost that they are setting out in front of us here as the difference or the extra cost that is involved in processing these so-called suspended and revoked licenses? How do they come by that figure?"

Senator Henry: "Well, not having made the study I cannot tell you but as I recall the testimony the procedure for processing a license that has been suspended, where you have to go back and check to be sure they do not have any late convictions or have not been in trouble with the law and so forth, is nine dollars and fifty cents. That was the figure furnished to us by the department."

Senator Stender: "Let me ask you the other way then. How much does it cost to process one that has not been revoked?"

Senator Henry: "One that has not been revoked, for instance, I have another bill that will allow a person to replace his license for two dollars if he has lost his license or run it through the washing machine or other such things."

Senator Stender: "We renew our licenses every two years and they are processed somewhere through the system. The point I am getting at is how do they arrive at these costs?"

Senator Henry: "Well I would presume that where you are doing a routine thing such as renewing your driver's licenses on a regular basis where they send the cards out to you, it is done by IBM. When you have to go back by hand and pick out twenty-five thousand suspended renewals a year, it costs more money."

Senator Stender: "Thank you."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2054, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 1; excused, 2.



Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Voting nay: Senators Grant, Stender—2.

Absent or not voting: Senator Woodall—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2054, having received the 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 Senator Lewis (Harry), Senate Bill No. 2055 was ordered to hold its place on the second reading calendar for Tuesday, January 23, 1973.

#### SECOND READING

SENATE BILL NO. 2067, by Senators Rasmussen, Odegaard and Gardner:

Abolishing mobile home I.D. Tags.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 2067 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2067, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—45.

Voting nay: Senator Francis—1.

Absent or not voting: Senator Woodall—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2067, having received the 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. 2089, by Senators Atwood, Newschwander, Sandison and Durkan (by Legislative Budget Committee request):

Providing for a state-wide forms management program.

#### REPORT OF STANDING COMMITTEE

January 17, 1973.

SENATE BILL NO. 2089, providing for a state-wide forms management program (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

On page 1, section 1, line 14 after "the" and before "management" strike "claims" and insert "forms"

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendment was adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 2089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Guess: "Would Senator Atwood yield? Senator Atwood, we have a number of printing plants in the various colleges in the state. Will this law apply to the community colleges and to the colleges and universities?"

Senator Atwood: "Not at this time."

Senator Guess: "I have been told already, Senator, that they have to clear with the state printer now."

Senator Atwood: "That is correct but that is an informal . . . Eventually all of the printing or all of the forms will come under the direction of this particular committee."

Senator Guess: "Now do you mean that the state printer is then going to take over the printing of the forms that the colleges are now doing?"

Senator Atwood: "No, the form itself. We are going to try to get some commonality in forms instead of having ten thousand different forms for the same subject matter."

Senator Guess: "Then will they save the money from the fact that they just will not approve a new form and they will wait six, eight months before they approve it?"

Senator Atwood: "Well, I cannot answer that. You would have to ask the forms management people on that. But eventually we should get a handle on these forms that are generated. Every community college has its own form for the same information they are trying to get. There are twenty-two different districts using twenty-two different forms."

Senator Guess: "Will it apply to community colleges?"

Senator Atwood: "You bet."

#### POINT OF INQUIRY

Senator Washington: "Will Senator Rasmussen or Senator Atwood yield? This intention is to use this in other agencies rather than just the colleges and universities, is it not?"

Senator Rasmussen: "Senator Washington, all state agencies, any place that forms are used. We can maybe just get one universal form and handle everything."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2089, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-46.

Absent or not voting: Senator Woodall-1.

Excused: Senators Dore, Durkan-2.

ENGROSSED SENATE BILL NO. 2089, having received the 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. 2073, by Senator Atwood:

Directing codification of section 12, Laws of 1969 ex. sess.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 2073, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2073, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Woodall—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2073, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Metcalf: "Thank you, Mr. President. Members of the Senate, I thought I would mention this on a day when it is not an issue and before we get too long into session. I really think the Senate should be a deliberative body and I think we have been. Very much so. And I would like to mention two things as far as cutting off debate. The move to table, and moving the previous question. And I just mention it as a comment for the future. I do not think we have ever used it too much but I would like to just say that, for my part, I think we should use this very sparingly. If a member wants to make a legitimate point I think he should be given the opportunity to do so. I think we have all been tired by endless Senate debate but I think this is one of the problems that we have to suffer being here. And I would mention the demand by a member for a roll call vote. It takes one-sixth of the members and when any member on this floor wishes to get a recorded vote on anything I will support him. We have talked about our open committee meetings and I have not been very favorable to that. I am afraid of the special interests getting too much power in our committee meetings. But any vote on the floor of this Senate I think should be open. Any time that any member here wants to get a recorded vote on any issue he can sure count on my support in standing up and I would urge the other members to do the same."

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Two things, both somewhat out of order. I would rise to support Senator Metcalf. I think those are very laudable goals and I am sure that all of us on the majority side, most of us at least, in almost every occasion would agree with him.

"Secondly, out of order, I would like to make a motion for the record Mr. President, and that motion would be that Senators Washington and Bottiger be excused from now through January 26 for purposes of attending in Washington, D.C. a national conference on criminal justice. That conference meets January 23 through 26 and both Senators Washington and Bottiger have served for several years on the state committee on law and justice and I would like the record to show that they are excused during that period and the purpose of such excuse."

The motion by Senator Mardesich carried. Senators Washington and Bottiger will be excused from January 23 through January 26, 1973.

#### MOTION

At 12:30 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, January 23, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### SIXTEENTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 23, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Guess, Washington and Woodall. On motion of Senator Lewis (Harry), Senators Guess and Woodall were excused. Senators Bottiger and Washington were excused previously by Senator Mardesich to attend the National Conference on Criminal Justice in Washington, D.C. from January 23 through January 26, 1973.

The Color Guard, consisting of Pages Donald Letteer and Tracy Walgren, presented the Colors. Reverend J. Alan Justad, minister of First United Methodist Church of Olympia, offered the following prayer:

“OUR FATHER, AS WE PAUSE IN PRAYER BEFORE THEE, MAY WE JOIN WITH OUR FELLOW AMERICANS IN PAYING TRIBUTE TO OUR DEPARTED PRESIDENT, LYNDON BAINES JOHNSON. MAY WE ALWAYS REMEMBER HIS DEEDS IN CIVIL RIGHTS WHICH RELIGHTED THE AMERICAN DREAM FOR PERSONS OF ALL RACES AND GIVES US HOPE THAT WE TOO SHALL OVERCOME. OUR FATHER, THOU HAST GIVEN US THE MORNING LIGHT, GIVE US ALSO THE MORNING BLESSING AS WE LIFT OUR HEARTS TO THEE IN PRAYER. GRANT UNTO EACH SENATOR HERE THE BLESSING OF THY WISDOM—TO MAKE WISE CHOICES, TO FIND THE RIGHT PATHS WE OUGHT TO TAKE. LIFT HIGH OUR VISION THAT WE MAY SEE CLEARLY AND BE GIVEN COURAGE TO WALK IN THY WAY. GRANT UNTO EACH PERSON HERE, THE BLESSING OF THY LOVE. DEEPEN OUR UNDERSTANDING, EXPAND OUR SYMPATHY AND ENLARGE OUR CAPACITY FOR GOOD WILL. GIVE TO EACH SENATOR HERE THE GRACE TO RISE ABOVE ANY PREJUDICES THAT SEPARATE PERSON FROM PERSON AND HELP US TO ENTER

THE REALM OF HIGH PRINCIPLES WHERE MEN ARE BROUGHT TOGETHER IN SPIRIT AND IN LOVE. GRANT UNTO US THE BLESSING OF FAITH, AND IN THESE HECTIC AND TRYING DAYS MAY WE KEEP OUR FAITH IN THEE AND IN OUR FELLOW LEGISLATORS. AS STATESMEN, IN THIS DISTINGUISHED BODY, GRANT WISDOM, GRANT LOVE, GRANT FAITH, THAT IN THESE DAYS THEY FAIL NOT MAN NOR THEE. IN THE MASTER'S NAME WE PRAY. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

Senator Bailey served notice that Senator Washington had placed on each member's desk, a notice of a rule change to be considered during the following week.

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENT

January 19, 1973.

A. H. "IKE" PARKER, to the position of Member of the Washington State Highway Commission, appointed by the Governor on October 15, 1971 for the term ending July 1, 1977, succeeding Robert L. Mikalson (reported by the Committee on Transportation and Utilities):

Recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Talley, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules.

January 23, 1973.

SENATE BILL NO. 2038, revising the tax exemption for nature conservancy (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Dore, Grant, Jolly, Lewis (Harry), Marsh, Newschwander, Peterson (Ted), Scott.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2053, changing date for organizational meeting of county central committees (reported by Committee on Constitution and Elections):

Recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2072, authorizing city treasurer to prepare warrants for beneficiaries of service retirement pensions (reported by Committee on Local Government):

Recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley, Walgren, Whetzel.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2083, enhancing the propagation of wildlife, reported by Committee on Rules which recommends that it be referred to the Committee on Ways and Means with instructions to report it back to the Senate no later than January 29, 1973.

Signed by: John A. Cherberg, Chairman; Senators Atwood, Bailey, Guess, Henry, Keefe, Lewis (Harry), Mardesich, Marsh, Stender, Talley.

There being no objection, Senate Bill No. 2083 was referred from the Committee on Rules to the Committee on Ways and Means with instructions.

January 22, 1973.

SENATE BILL NO. 2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year, reported by Committee on Rules which recommends that it be referred to the Committee on Education.

Signed by: John A. Cherberg, Chairman; Senators Bailey, Bottiger, Guess, Henry, Keefe, Lewis (Harry), Mardesich, Marsh, Stender, Talley.

There being no objection, Senate Bill No. 2093 was referred from the Committee on Rules to the Committee on Education.

#### MESSAGE FROM THE SECRETARY OF STATE

Office of the Secretary, January 8, 1973.

THE HONORABLE, THE PRESIDENT OF THE SENATE,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.  
SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, the following bills passed by the Senate and House of Representatives at the Second Extraordinary Session of the Forty-second Legislature, and partially vetoed by the Governor after the adjournment of said session, together with his veto messages attached hereto. They are Substitute Senate Bill No. 438 and Senate Bill No. 146.

Respectfully,  
A. LUDLOW KRAMER  
Secretary of State.

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 146 and Senate Bill No. 438 were referred to the Committee on Rules.

#### MESSAGE FROM THE HOUSE

January 22, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 10, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 10.

#### MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease until 10:15 a.m.

The President called the Senate to order at 10:15 a.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2280, by Senators Guess and Sellar:

An Act relating to counties; amending section 36.32.200, chapter 4, Laws of 1963 and

RCW 36.32.200; adding a new section to chapter 4, Laws of 1963 and to chapter 36.27 RCW; and adding new sections to chapter 4, Laws of 1963 and to chapter 36.32 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2281, by Senators Day, Murray and Woody:

An Act relating to education; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 269, Laws of 1971 ex. sess. and RCW 28A.58.420, and amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 269, Laws of 1971 ex. sess. and RCW 28B.10.660.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2282, by Senators Francis, Marsh, Jones, Day and Talley:

An Act relating to appointed interpreters in legal proceedings; and adding a new chapter to Title 2 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2283, by Senator Grant:

An Act relating to elections; providing for open primaries; amending section 29.18.200, chapter 9, Laws of 1965 and RCW 29.18.200; amending section 29.30.010, chapter 9, Laws of 1965 and RCW 29.30.010; amending section 29.30.020, chapter 9, Laws of 1965 as amended by section 76, chapter 81, Laws of 1971 and RCW 29.30.020; amending section 29.30.030, chapter 9, Laws of 1965 and RCW 29.30.030; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; amending section 29.33.160, chapter 9, Laws of 1965 and RCW 29.33.160; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.30 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2284, by Senators Woody, Atwood and Francis:

An Act relating to domestic relations; providing an additional ground for divorce; and amending section 2, chapter 215, Laws of 1949 as amended by section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020.

Referred to Judiciary Committee.

SENATE BILL NO. 2285, by Senators Grant, Rasmussen and Connor:

An Act relating to elections; allowing employees time off from employment to vote; adding new sections to chapter 29.04 RCW; and prescribing a penalty.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2286, by Senators Grant, Connor, Stortini, Keefe and Stender:

An Act relating to public employees; amending section 3, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.030; amending section 11, chapter 215, Laws of 1965 ex. sess. and RCW 41.56.420; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2287, by Senators Bottiger, Stortini, Fleming and Ridder (by Joint Committee on Education request):

An Act relating to school districts; amending section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as amended by section 2, chapter 131, Laws of 1969 and RCW 29.21.210; amending section 29.21.230, chapter 9, Laws of 1965 as amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and creating new sections.

Referred to Committee on Education.

SENATE BILL NO. 2288, by Senators Woody, Clarke and Van Hollebeke:

An Act relating to notaries public and commissioners of deeds; and repealing section 7, page 475, Laws of 1890 and RCW 42.28.080.

Referred to Judiciary Committee.

SENATE BILL NO. 2289, by Senators Durkan, Bailey and Newschwander:

An Act relating to negotiations of school districts with their certificated personnel; amending section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; and adding new sections to chapter 223, Laws of 1969 ex. sess. and as a new chapter, chapter 28A.73 RCW, to Title 28A RCW.

Referred to Committee on Education.

SENATE BILL NO. 2290, by Senators Woody, Atwood and Van Hollebeke:

An Act relating to small claims; and amending section 11, chapter 187, Laws of 1919 and RCW 12.40.110.

Referred to Judiciary Committee.

SENATE BILL NO. 2291, by Senators Bottiger, Murray and Talley:

An Act relating to certificated employees of school districts; and amending section 16, chapter 15, Laws of 1970 ex. sess. and RCW 28A.67.070.

Referred to Committee on Education.

SENATE BILL NO. 2292, by Senators Ridder, Newschwander, Bottiger, Peterson (Ted) and Stortini (by Joint Committee on Education request):

An Act relating to school districts; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 131, Laws of 1969 and RCW 28A.57.312; amending section 28A.57.336, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 131, Laws of 1969 and RCW 28A.57.336; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 67, Laws of 1971 and RCW 28A.57.344; amending section 3, chapter 67, Laws of 1971 and RCW 28A.57.355; amending section 4, chapter 67, Laws of 1971 and RCW 28A.57.356; amending section 5, chapter 67, Laws of 1971 and RCW 28A.57.357; amending section 6, chapter 67, Laws of 1971 and RCW 28A.57.358; amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425; amending section 10, chapter 131, Laws of 1969 and RCW 28A.57.435; amending section 29.13.060, chapter 9, Laws of 1965 and RCW 29.13.060; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and creating new sections.

Referred to Committee on Education.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2292.

#### MOTION

On motion of Senator Ridder, the rules were suspended and Senator Stortini was permitted as an additional sponsor on Senate Bill No. 2292.

SENATE BILL NO. 2293, by Senators Francis, Peterson (Ted), Connor and Dore:

An Act relating to financing by and bonds, obligations, refunding bonds, and refunding obligations of the state, its agencies, institutions, political subdivisions, and municipal and quasi municipal corporations; and amending section 7, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.060.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2294, by Senators Whetzel and Henry (by Secretary of State request):

An Act relating to the office of the secretary of state; amending section 1, chapter 122, Laws of 1971 ex. sess. and RCW 43.07.130; adding a new section to chapter 43.07 RCW; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2295, by Senators Francis, Clarke, Day and Jones (by Department of Social and Health Services request):



An Act relating to conservatorship for certain gravely disabled persons; adding a new chapter to Title 71 RCW; creating new sections; and providing an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2296, by Senators Greive, Murray and Bottiger (by Legislative Council request):

An Act relating to the state fire marshal; and amending section .33.09, chapter 79, Laws of 1947 and RCW 48.48.090.

Referred to Committee on State Government.

SENATE BILL NO. 2297, by Senators Greive, Talley and Murray (by Legislative Council request):

An Act relating to safety glass; amending section 1, chapter 128, Laws of 1963 and RCW 70.89.010; amending section 4, chapter 128, Laws of 1963 and RCW 70.89.040; adding new sections to chapter 128, Laws of 1963 and to chapter 70.89 RCW; repealing section 2, chapter 128, Laws of 1963 and RCW 70.89.020; repealing section 3, chapter 128, Laws of 1963, section 1, chapter 45, Laws of 1965 and RCW 70.89.030; prescribing penalties; and establishing an effective date.

Referred to Committee on Commerce.

SENATE BILL NO. 2298, by Senators Greive, Talley, Bottiger and Murray (by Legislative Council request):

An Act relating to public health and safety; regulating fire extinguishers and fire extinguishing systems; adding a new chapter to Title 70 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2299, by Senators Woodall, Twigg, Day and Canfield:

An Act relating to disclosures by certain public and private persons; amending section 3, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.030; adding a new chapter to Title 29 RCW; adding a new chapter to Title 44 RCW; repealing sections 1 through 50, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.010 through RCW 42.17.940; prescribing penalties; and declaring an effective date.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2300, by Senators Woody, Clarke and Van Hollebeke:

An Act relating to juries; and adding new sections to chapter 2.36 RCW.

Referred to Judiciary Committee.

SENATE JOINT MEMORIAL NO. 105, by Senators Metcalf, Murray and Wanamaker:

Memorializing Congress to amend the Constitution to limit service in Congress to 12 years in each house and to require judges to retire at 70 years of age.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 111, by Senators Stender, Herr and Metcalf:

Authorizing an income tax.

Referred to Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION NO. 110, by Senators Day and Matson (by Legislative Council request):

Providing for a study on grass seed production.

Referred to Committee on Agriculture.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2286, 2287, 2293, 2295, 2298 and 2299.

## APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence of the Washington State Dairy Princess, Twyla Boast, of Mabton, Washington and appointed a special committee consisting of Senators Jolly, Knoblauch, Newschwander, Day, Twigg, Lewis (Bob), Keefe, Scott and Canfield to escort Princess Twyla to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Princess Twyla to address the Senate.

## SECOND READING

SENATE BILL NO. 2055, by Senators Bottiger, Stortini, Twigg and Walgren (by Department of Motor Vehicle request):

Providing for the issuance of an occupational driver's license.

## REPORT OF STANDING COMMITTEE

January 16, 1973.

SENATE BILL NO. 2055, providing for the issuance of an occupational driver's license (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with following amendment:

On page 1, section 1, line 17, after "Within" strike "three years" and insert "one year"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Wanamaker, Washington, Whetzel.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendment was adopted.

On motion of Senator Walgren, the following amendments were adopted:

On page 2, section 1, line 22, after "director" strike "of" and insert "by"

On page 3, following section 1, add a new section to read as follows:

"*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 motion of Senator Walgren, the following amendment to the title was adopted:

On page 1, line 2 of the title following "RCW" and before the period insert "; and declaring an emergency"

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2055 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2055, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woody-44.

Voting nay: Senator Scott-1.

Excused: Senators Bottiger, Guess, Washington, Woodall-4.

ENGROSSED SENATE BILL NO. 2055, having received the 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. 2006, by Senators Peterson (Lowell) and Talley:  
Providing for loss of hunting license for unlawfully killing certain wildlife.

#### REPORT OF STANDING COMMITTEE

January 18, 1973.

SENATE BILL NO. 2006, providing for loss of hunting license for unlawfully killing certain wildlife (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 6, after "killing" and before "elk" on line 7, insert "or possessing"

On page 1, section 1, line 8, after "killing" and before "the" insert "or possessing"

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Sandison.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the committee amendments were adopted.

On motion of Senator Peterson (Lowell), the following amendments were adopted:

On page 1, section 1, line 6, after "violating" and before "RCW 77.16.030" insert "RCW 77.16.020 or"

On page 1, line 10, after "forth in" and before "RCW 77.16.030" insert "RCW 77.16.020 or"

On page 1, line 11, after "license" and before "for" insert ", nor shall any person so convicted be granted a hunting license."

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Peterson yield to a question? The intent of this is only to get at those who kill by gun or by arrow. What would happen if you accidentally hit a deer on the road, out of season in a closed area?"

Senator Peterson (Lowell): "This would have no effect on that particular statute to the best of my knowledge. You would report it to your nearest law enforcement agency and if you elected to take that deer home now you would be subject to the same penalty that you would be under this act. So you would, Senator Ridder, put it in your trunk and if you took it home and the Game Department found it in your freezer, you would probably get the five year suspension. It is still illegal possession."

Senator Ridder: "If you accidentally hit one with an automobile you would not be subject to a thousand dollar fine?"

Senator Peterson (Lowell): "No."

#### POINT OF INQUIRY

Senator Fleming: "Senator Peterson, would you yield to a question? Is this mandatory or is there some discretion in terms of the leveling of the fine or penalty?"

Senator Peterson (Lowell): "Well, the fines are already built into the statute. This is not changing the fine structure at all. The only thing it does, in addition to the present fine that you would pay if you were convicted, you would not be able to obtain a hunting license for a five-year period following."

#### POINT OF INQUIRY

Senator Van Hollebeke: "Will Senator Peterson yield please? Senator, all of these offenses carry a penalty of both a jail sentence and a fine, is that correct?"

Senator Peterson (Lowell): "That is up to the discretion of the courts. This bill has nothing to do with the statutory fines that are presently in effect."

Senator Van Hollebeke: "Does this carry the possibility of both fine and/or jail sentence?"

Senator Peterson (Lowell): "That is true."

Senator Van Hollebeke: "About what do they run?"

Senator Peterson (Lowell): "Two hundred and fifty to a thousand in most cases."

Senator Van Hollebeke: "And jail sentences?"

Senator Peterson (Lowell): "I do not know of any cases where jail sentences have been invoked. It is in the statutes but if it has ever happened I do not know of any. It is usually suspended."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Peterson yield to a question? I would like to ask you whether it is intended, and I am doing it for legislative intent purposes, to include the situation where a perfectly good sportsman is certain he saw horns on that buck and it turned out not to have any horns at all, in fact it turned out to be a doe. That is an intentional killing, of course, but he certainly did not mean to do that terrible thing."

Senator Peterson (Lowell): "Well, Senator Woody, you put me in a very embarrassing situation because I happen to have had that happen to me at one particular point in time in my life. I do not think that this would either take away or add to the present jurisdiction in that particular area. It is going to go to court in any instance and I think that the jurisdictional authority would handle the matter in an appropriate way. It certainly is not the intent but obviously it is the statute."

#### POINT OF INQUIRY

Senator Stender: "Senator Peterson, Lowell, would you yield to a question? Senator Peterson, a little bit earlier the question was raised about the possible killing of an elk or a deer on a road by an automobile and you retorted that you thought the nearest authority should be notified. What is done with the carcasses of those animals that are reported that way? Are they just left to go to waste or is there some purpose that they can be used for?"

Senator Peterson (Lowell): "In most cases the carcass is mutilated to the point and it has not been dressed out soon enough to where it is non-edible and they are disposed of in disposal sites. But when an animal, for instance, perhaps with a broken leg gets hit on the highway, the Game Department usually will dress the animal out properly. I know in my town they have taken them to the schools and they have taken them to Northern State Hospital and places like that."

Senator Stender: "One further question, then if one were to seriously injure an animal, make them immobile and it would be illegal for the driver, say to possibly bleed the animal and maybe save the carcass by doing so at that time?"

Senator Peterson (Lowell): "I do not, in my recollection, know of any conviction that has ever been made by anybody that attempted to save an animal in this manner and it has been done. And when the authorities are properly notified they may in turn dispose of the carcass as they see fit, but never has a conviction been made."

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed Senate Bill No. 2006 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2006, and the bill passed the Senate by the following vote: Yeas, 40; nays, 5; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Wanamaker, Whetzel, Woody—40.

Voting nay: Senators Fleming, Grant, Odegaard, Ridder, Van Hollebeke—5.

Excused: Senators Bottiger, Guess, Washington, Woodall—4.

ENGROSSED SENATE BILL NO. 2006, having received the 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 Senator Atwood, Senator Stender was excused.

#### SECOND READING

SENATE BILL NO. 2079, by Senators Durkan, Atwood, Newschwander and Gardner (by Legislative Budget Committee request):

Implementing duties of state printing and duplicating committee.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 2079 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2079, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woody—43.

Absent or not voting: Senator Scott—1.

Excused: Senators Bottiger, Guess, Stender, Washington, Woodall—5.

SENATE BILL NO. 2079, having received the 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

Senator Mardesich moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-13

By Senators Bailey, Keefe, Mardesich, Lewis (Harry), Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Lyndon Baines Johnson, Thirty-sixth President of the United States, and prior to his death the only living former President, has been lost to the nation and his loved ones by untimely death; and

WHEREAS, President Johnson was a great leader who demonstrated a sense of deep compassion for the less fortunate citizens of the nation, who achieved during his tenure of office the greatest progress in the development of civil rights of minorities and in comprehensive health care for the nation; and

WHEREAS, President Johnson is deeply mourned by all from the Pedernales to the Columbia for his love and devotion to this nation; and

WHEREAS, Lyndon Baines Johnson brought new hope and new dignity to the poor, the aged and the disabled of this nation with his vision and ability to implement needed changes in the domestic programs of our country; and

WHEREAS, President Johnson displayed the strength of character, not only to accept victory modestly, but to face adversity courageously; and

WHEREAS, The United States and the State of Washington have suffered a grievous loss in the untimely passing of Lyndon Baines Johnson;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate place upon the record the deep sense of loss felt as the result of the death of President Johnson, and convey to Mrs. Johnson and her family the deepest sympathy of the membership.

BE IT FURTHER RESOLVED, That this resolution be suitably engraved and transmitted to Mrs. Lyndon B. Johnson and her family.

The Senate observed a moment of silence in memory of former President Lyndon Baines Johnson.

The motion by Senator Mardesich carried and the resolution was adopted.

#### MOTIONS

On motion of Senator Rasmussen, the Committee on State Government was relieved of further consideration of Senate Bill No. 2132.

On motion of Senator Rasmussen, Senate Bill No. 2132 was referred to the Committee on Local Government.

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, with your permission the President would like to exercise the privilege of presenting two charming and lovely guests seated in the south gallery, my sister Mrs. Annie Haggerty and my niece, Mrs. Anne Maureen Johnson of Pensacola, Florida. They are accompanied by Mrs. Cherberg. Won't you please stand in order that the members may properly recognize and welcome you."

#### MOTION

At 11:25 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, January 24, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## SEVENTEENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 24, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Grant, Stender, Washington and Woody. On motion of Senator Keefe, Senators Grant and Woody were excused. On motion of Senator Lewis (Harry), Senator Stender was excused. Senators Bottiger and Washington were excused previously by Senator Mardesich to attend the National Conference on Criminal Justice in Washington, D.C. from January 23 through January 26, 1973.

The Color Guard, consisting of Pages Michael Sletivet and Kathleen Carl, presented the Colors. Reverend J. Alan Justad, minister of First United Methodist Church of Olympia, offered the following prayer:

“OUR FATHER WE COME IN JOY THIS MORNING BECAUSE OF THE ANNOUNCEMENT BY OUR PRESIDENT OF THE IMPENDING PEACE FOR VIET NAM. OUR FATHER, WHOSE APPROVAL WE SEEK ABOVE ALL THE HOLLOW APPLAUSE OR BLAME OF MEN, WE PAUSE IN THE MIDST OF THRONGING DUTIES AND CONFUSING ISSUES THAT THOU MIGHT LIFT UPON US THE LIGHT OF THY GUIDANCE. INSPIRE AND GUIDE WITH THE SPIRIT OF UNDERSTANDING, THESE DISTINGUISHED SENATORS. THE FEW AMONG THE MANY IN A CRUCIAL PERIOD LIFTED BY THEIR FELLOWS TO HIGH PEDESTALS OF POWER AND INFLUENCE. MAY THEIR WORDS AND COUNSELS ADD TO THE WORLD'S STORE OF GOOD WILL AND BE FOR THE HEALING OF OUR GREAT STATE. IN THE LIGHT OF THIS CHALLENGE, WE PRAY FOR ALL GATHERED HERE THAT THEY MAY NOT FAIL THEIR GENERATION AND THEE, BUT RATHER THAT THEY RETAIN THEIR INTEGRITY AND SERVE THIS SACRED TRUST OF PUBLIC OFFICE IN DECENCY, JUSTICE AND MERCY AND IN THE UNITING BROTHERHOOD OF THY SON WHO TAUGHT US TO PRAY THAT HIS RADIANT KINGDOM MAY COME. WE ASK THIS IN HIS NAME. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEE

January 22, 1973.

SENATE BILL NO. 2019, authorizing the state treasurer to appoint such deputies as he deems necessary (reported by Committee on State Government):

Recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

January 22, 1973.

SENATE BILL NO. 2146, permitting the chief of the Washington State Patrol to employ special deputies (reported by Committee on State Government):

Recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

### MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease until 10:15 a.m.

The President called the Senate to order at 10:15 a.m.

### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2301, by Senators Lewis (Bob), Woody and Wanamaker:

An Act relating to the general duties of the secretary of state; and amending section 43.07.030, chapter 8, Laws of 1965 as amended by section 3, chapter 53, Laws of 1969 ex. sess. and RCW 43.07.030.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2302, by Senators Knoblauch, Durkan and Peterson (Ted):

An Act relating to bonuses; and amending section 12, chapter 292, Laws of 1955 as amended by section 1, chapter 147, Laws of 1959 and RCW 73.33.120.

Referred to Committee on State Government.

SENATE BILL NO. 2303, by Senators Keefe, Dore and Stender (by Lieutenant Governor request):

An Act relating to public funds; and adding new sections to chapter 39.58 RCW.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2304, by Senators Washington, Herr, Peterson (Ted), Henry and Francis:

An Act relating to the compensation of victims; enacting a crime victims reparations act; and adding a new chapter to Title 7 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2305, by Senators Odegaard, Donohue and Scott:

An Act relating to community college faculty members; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

SENATE BILL NO. 2306, by Senators Woody, Atwood and Van Hollebeke:

An Act relating to counties; adding a new section to chapter 4, Laws of 1963 and to chapter 36.32 RCW; and repealing section 36.32.200, chapter 4, Laws of 1963 and RCW 36.32.200.

Referred to Committee on Local Government.

SENATE BILL NO. 2307, by Senators Gardner and Bottiger (by Joint Committee on Education request):

An Act relating to third class school districts; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 131, Laws of 1969 and RCW



28A.57.312; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and creating a new section.

Referred to Committee on Education.

SENATE BILL NO. 2308, by Senators Matson and Fleming:

An Act relating to alcoholic beverages; and adding a new section to chapter 66.44. RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2309, by Senators Day, Guess, Lewis (Bob), Keefe, Twigg and Donohue:

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; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2310, by Senator Talley:

An Act relating to education; adding a new section to chapter 28B.10 RCW; and providing for a referendum.

Referred to Committee on Higher Education.

SENATE BILL NO. 2311, by Senators Wanamaker, Walgren and Stender:

An Act relating to transportation; specifying planning, programing and budgeting responsibilities; and adding new sections to chapter 44.40 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2312, by Senators Bailey and Atwood:

An Act relating to rates for printing; amending section 36.72.050, chapter 4, Laws of 1963 as amended by section 1, chapter 43, Laws of 1969 ex. sess. and RCW 36.72.050; and amending section 4, chapter 99, Laws of 1921 as last amended by section 1, chapter 57, Laws of 1967 ex. sess. and RCW 65.16.090.

Referred to Committee on Local Government.

SENATE BILL NO. 2313, by Senators Gardner, Murray and Grant:

An Act relating to disaster readiness and response; amending section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1967 and RCW 38.52.010; amending section 2, chapter 178, Laws of 1951 as last amended by section 2; chapter 203, Laws of 1967 and RCW 38.52.020; amending section 5, chapter 178, Laws of 1951 and RCW 38.52.040; amending section 6, chapter 178, Laws of 1951 and RCW 38.52.050; amending section 8, chapter 178, Laws of 1951 and RCW 38.52.070; amending section 10, chapter 178, Laws of 1951 and RCW 38.52.090; amending section 12, chapter 178, Laws of 1951 and RCW 38.52.100; amending section 13, chapter 178, Laws of 1951 as last amended by section 1, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.110; and amending section 9, chapter 223, Laws of 1953 and RCW 38.52.200.

Referred to Committee on State Government.

SENATE JOINT MEMORIAL NO. 106, by Senators Donohue and Walgren:

Providing for a second bridge across the Snake River funded with federal money.

Referred to Committee on Transportation and Utilities.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2304 and 2309.

## SECOND READING

SENATE BILL NO. 2078, by Senators Durkan, Atwood, Newschwander and Gardner (by Legislative Budget Committee request):

Implementing law relating to public records and their retention, protection, disposal or reproduction.

The bill was read the second time by sections.

Senator Day moved adoption of the following amendment:

On page 6, add a new section following section 5 as follows:

"Sec. 6. Section 48.08.110, chapter 12, Laws of 1961 as amended by section 3, chapter 32, Laws of 1967 and RCW 46.01.250 are each amended to read as follows:

The director, *as specifically authorized and directed herein*, shall have the power and it shall be his duty upon request and payment of the fee as provided herein to furnish under seal of the director certified copies of any records of the department, *including lists of individuals requested for commercial purposes*, except those for confidential use only. The director shall charge and collect therefor the actual cost to the department. Any funds accruing to the director of motor vehicles under this section shall be certified and sent to the state treasurer and by him deposited to the credit of the highway safety fund."

Renumber section 6 to read "Sec. 7."

#### POINT OF INQUIRY

Senator Guess: "Senator Day, would you yield please? Senator Day, in 1965 and again in 1967 we argued this procedure of selling the lists of automobile holders very bitterly here on the floor and in the committee. We at that time were trying to preserve the privacy of the lists held by the state and this is really a very far and a divergent attitude that the legislature took at that time. We beat the lists down because we did not think that we wanted to be on all the sucker lists in the whole country. And this is certainly going to make it far easier for those people who want sucker lists to buy them from the state and particularly if the departments are required to comply. For instance, General Motors wants to buy a list of all of the Buicks in the state, then they have got to go to the expense of doing this. I think that there should be some safeguards put into the law that would protect those people whose names they do not want to be disseminated all over the nation and the protection is needed there. I think that this would let the bars down from what we have fought in the past."

Senator Day: "Senator, I do not know specifically what your question was."

Senator Guess: "I want to know, is this opening up the bar to the sale of our lists to any type of organization that wants it?"

Senator Day: "I think that it certainly is allowing an organization to get the lists but I do not think it is going to affect particularly mailing lists for the purposes that you are discussing because of course we still have telephone books and we still have city directories that are available to these firms with everyone's name in them. I just feel that what this is doing is allowing lists for specific purposes, a professional organization, for example, such as my own or such as the state medical society may want to know exactly where a licentiate is. And maybe the only way they can find out is by having a list procured from the department. I think that that is what the intent of this amendment is and I cannot for the life of me see why it would open up any more than the city directory or the telephone directory list of almost everyone that would become available through those sources that are already available to them now."

#### POINT OF INQUIRY

Senator Durkan: "Mr. President, will Senator Day yield? Senator, would this take away the disabled veterans to receive these lists?"

Senator Day: "To the contrary, it is going to make it possible for them to get the lists and also anyone who gets the list is going to have to pay for it."

Senator Durkan: "That is what I wanted to know. Thank you."

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Day, would you yield to a question? As I read your proposed amendment, it will enlarge the availability of the lists of people required by law to

register with the department. This is going to open up the lists completely for commercial purposes. Is that right?"

Senator Day: "It is already open."

Senator Rasmussen: "No, I do not think it is."

Senator Day: "If you will look you will see the underlined material is the only new part."

Senator Rasmussen: "Well as I read your proposed amendment 'including lists of individuals requested for commercial purposes.'"

Senator Day: "That is correct."

#### MOTION

Senator Mardesich moved adoption of the following amendment to the amendment by Senator Day:

On the last line of the amendment, after "fund" and before the period insert "*PROVIDED, HOWEVER, That any individual may request of the director of the department of motor vehicles that his name shall not be furnished to any non-official user*"

#### POINT OF INQUIRY

Senator Woodall: "Will Senator Mardesich yield? If I understand this now, if a person buys a car, then they have to affirmatively write in and notify that you do not want your name included in these lists?"

Senator Mardesich: "No, it is my intention under the amendment to the amendment, as suggested by Senator Guess, that all the person would have to do is notify the director of the Department of Motor Vehicles that he does not want his name to be given to such non-official users and that would be the end of it. I think that the prohibition would hold good until such time as the person revoked that."

#### MOTIONS

On motion of Senator Ridder, Senate Bill No. 2078, the amendment by Senator Day and the amendment to the amendment by Senator Mardesich, were ordered placed at the beginning of the second reading calendar for Thursday, January 25, 1973.

On motion of Senator Mardesich, Senate Bill No. 2080 was ordered to hold its place on the second reading calendar for Thursday, January 25, 1973.

#### SECOND READING

SENATE BILL NO. 2082, by Senators Woody, Francis and Clarke:

Establishing a position for a county clerk on the judicial council.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2082 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2082, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall—43.

Absent or not voting: Senator Herr—1.

Excused: Senators Bottiger, Grant, Stender, Washington, Woody—5.

SENATE BILL NO. 2082, having received the 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 Senator Mardesich, Senate Joint Resolution No. 107 was ordered to hold its place on the second reading calendar for Thursday, January 25, 1973.

#### MOTION

Senator Lewis (Harry) moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-14

By Senators Lewis (Harry), Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody:

WHEREAS, On the eve of the two-hundredth anniversary of the Republic of the United States, Richard M. Nixon, Thirty-seventh President of the United States, has announced the first significant step toward a just and honorable peace in Viet Nam through execution of a Cease Fire Agreement which provides for a return of American prisoners of war and a cessation of armed hostilities in Southeast Asia;

NOW, BE IT RESOLVED BY THE WASHINGTON STATE SENATE, That the Senate accept and wear the white carnations now being distributed as a symbol of peace and as a tribute to those who have given their lives, to the prisoners of war, to those missing in action and to their families as they have given far more than any of us to preserve freedom and justice in this land and in the world.

BE IT FURTHER RESOLVED, That we wear these symbolic white carnations with pride in our country and in our flag and with heads held high in evidence of our dedication and loyalty to the Constitution and to the principles for which so many have sacrificed so selflessly.

BE IT FURTHER RESOLVED, That the Senate, all of us assembled, stand in silent prayer, rededicating ourselves to make every effort to prevent future conflicts and to work for a continuing and lasting peace in Viet Nam and over the entire world.

#### REMARKS BY SENATOR HARRY LEWIS

Senator Lewis (Harry): "I think the Resolution pretty well speaks for itself. I believe that it is important that the Senate of the State of Washington stand together as Senator Mardesich has suggested, rededicating ourselves in honor of those who have given so much for the principle of peace. And I would ask that all of you join with me in standing for one moment of silent prayer in rededicating ourselves and our efforts for this purpose of peace in honoring those who have sacrificed with their lives and their time."

#### REMARKS BY SENATOR KNOBLAUCH

Senator Knoblauch: "Mr. President and members of the Senate, I speak today not as a Democrat or a Republican but as a proud American. And perhaps I may speak too long but this happens to be a moment I have waited for for a long, long time. I always hated to pick up the papers and to see what man from Pierce County was going to be listed as killed in action in Viet Nam. I can close my eyes and see in the rice paddies of the Philippines the arms and the legs of the enemy sticking up through the waters in the rice paddies. I can close my eyes and see the truckloads of young dead Americans going down the road in the

Philippines stacked like cordwood in the trucks. This is a day that all Americans have waited for. No war in America's history has divided our country as much as the one nearing completion. Like all good Americans I am sick and tired of the demonstrations we have seen in the past few years, of so-called good American young people carrying the American flags upside down, so-called good young Americans burning the American flag, of seeing our winners in the Olympic games turn up their noses when the Star Spangled Banner is played. I am sick and tired of the Jane Fondas who went to Viet Nam and sided with our enemy and turned their backs on America. I wonder if America would now come back to its senses. We have seen sons and daughters turned against parents and parents turned against sons and daughters. My heart goes out today to those mothers and fathers, the families and wives and sweethearts of the men who have been prisoners of war and who have waited so long for their loved ones to come home. My heart goes out to those parents and wives whose boys are missing in action and also people who have waited for so long. And my heart goes out to the mothers and fathers who lost their sons in this tragic war. Yes, America has waited a long time for the announcement made last night by President Nixon. I came back up to the Senate lounge last night hoping to hear the good news that I did. Remember yesterday I said I was proud that Lyndon Johnson had not once criticized Richard Nixon in any manner, and last night I was so proud when Richard Nixon remembered this in his announcement about the cease fire in Viet Nam. And I would like to read these few words of tribute paid by our president:

'Just yesterday a great American who once occupied this office died. In his life President Johnson endured the vilification of those who sought to portray him as a man of war, but there was nothing he cared about more deeply than achieving a lasting peace in this world. I remember the last time I talked with him. It was just the day after New Year's. He spoke then of his concern with bringing peace, with making it the right kind of peace. And I was grateful that he once again expressed his support for my efforts to gain such a peace. No one would have welcomed this peace more than he.'

"Yes, this is the day that all Americans have waited and prayed for. This is a great day in my life and it should be a great day in yours."

The Senate observed a moment of silence in rededication to work for continuing and lasting peace.

#### MOTIONS

On motion of Senator Mardesich, all members of the Senate were sponsors of the resolution.

The motion by Senator Lewis (Harry) carried and the resolution was unanimously adopted.

#### MOTION

At 10.50 a.m., on motion of Senators Mardesich, the Senate adjourned until 9:30 a.m., Thursday, January 25, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTEENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 25, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Fleming, Stender and Washington. On motion of Senator Atwood, Senator Stender was excused. On motion of Senator Scott, Senator Metcalf was excused. On motion of Senator Keefe, Senator Fleming was excused. Senators Bottiger and Washington were excused previously by Senator Mardesich to attend the National Conference on Criminal Justice in Washington, D.C. from January 23 through January 26, 1973.

The Color Guard, consisting of Pages Thomas Mayrand and Nancy Price, presented the Colors. Reverend J. Alan Justad, minister of First United Methodist Church of Olympia, offered the following prayer:

“O GOD OF GLORY AND LIFE, WE COME TO THEE IN THIS OUR MORNING PRAYER AND WAITING UPON THEE WE WOULD TURN AWAY FROM THE CLAMOR AND CLATTER OF THE CONFUSED WORLD ABOUT US. HELP US TO GREET THIS NEW DAY WITH THE JOY OF GRATITUDE, TO OVERCOME OUR DIFFICULTIES WITH INCREASED DEVOTION, TO CARRY OUR BURDENS WITH ADDED STRENGTH, AND TO MEET ALL ILLS AND ACCIDENTS WITH A GALLANT AND HIGH-HEARTED HAPPINESS, GIVING THEE THANKS ALWAYS FOR ALL THINGS. MAY WE JOIN IN THE GREAT ST. PATRICK WHO PRAYED, ‘GOD BE IN OUR HEADS AND IN OUR UNDERSTANDING, GOD BE IN OUR EYES AND IN OUR LOOKING, GOD BE IN OUR MOUTHS AND IN OUR SPEAKING, GOD BE IN OUR MINDS AND IN OUR THINKING, GOD BE AT OUR END AND AT OUR DEPARTING.’ IN THE MIDST OF SUCH BUSY DAYS MAY WE BE EVER MINDFUL THAT AS WE SERVE THEE WE IN TURN SERVE THE PEOPLE OF THIS GREAT STATE AND TO KEEP OUR STATE PHYSICALLY STRONG, MENTALLY AWAKE AND MORALLY STRAIGHT. IN THE MASTER’S NAME WE PRAY. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## EXPLANATION OF VOTE

The Washington State Constitution provides for three departments of government. Each is equal. Neither is supposed to be more or less important than the others.

Service in the Legislative branch, however, since the inception of statehood, has been part-time. No one contends that compensation is for full-time employment. This means that, unless a citizen is retired, he must have some form of profession, business, or employment, and students of government agree that it is beneficial to attract persons from a wide spectrum of activity.

This cumbersome, unnecessary, reporting of personal business of members and their spouses, would restrict membership from many professions.

Joint Rules of the House and the Senate are for the primary purpose of facilitating business between both houses, and presently contain adequate ethics requirements. Assuming there is any merit to the proposed amendments by Senator Greive and others, they would not belong in the Joint Rules, but should have been submitted as proposed amendments to the Code of Ethics Law and have had committee hearings, as in the usual practice.

We feel these proposed Rules were designed more to obtain news releases than to achieve any worthwhile good. We particularly resent the implication that any member of the Legislature could be influenced for such "piddling" gratuities, as suggested by the proposed Rules.

Because these proposals were inappropriate and did not belong in the Joint Rules, we voiced our opposition.

Signed by: Senators Woodall, Matson, Henry, Lewis (Harry), Keefe, Sandison, Sellar, Woody, Lewis (Bob), Wanamaker, Jones, Clarke, Newschwander, Metcalf, Atwood, Canfield, Peterson (Ted), Stender, Guess, Walgren, Donohue, Peterson (Lowell), Grant, Odegaard, Day, Bailey.

#### REGARDING EXPLANATION OF VOTE

As I read the Explanation of Vote made by those Senators who opposed the reforms which would require the reporting of the sources of income of members of the Washington Legislature, they seem to be trying very hard to convince anyone reading their Explanation of Vote that these reforms belong in the Code of Ethics and not in the Joint Rules of the House and Senate. In my opinion, this Explanation is an evasion of the question. As the members who signed that Explanation know, there are many ways to trap, amend, and prevent an issue so embarrassing to some members from ever coming to a vote, and we are fearful that if left to their own devices, some who voted against this legislation will do just that.

If we are to have a roll call vote or any meaningful discussion, it is absolutely essential that we make the amendments on the floor in public view so that members of the public can determine for themselves the attitudes of their individual legislator towards this vital reform. These reforms were offered as amendments to the Senate Rules and Joint Rules of the House and Senate because these rules are necessary for the operation of both Houses, and must be acted upon each legislative session.

There may be still other members who claim they voted against these reforms because they did not agree with the precise wording of the amendments. This proposition can be answered by pointing out that on several occasions, during the debate on this measure, offers were made to strike the proposed rules from the Rules of the House and Senate, if the same provisions were later enacted into the Code of Ethics. Furthermore, repeated invitations have been made to the members of the Senate to revise these measures, if they were unworkable, which offers were ignored.

The only conclusion that we can reach from all the debate was that the members signing the explanation of vote simply did not want this full disclosure as proposed.

Signed by: Senators Greive and Ridder.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Senator Vern Cook, State Senator from Oregon, and appointed a special committee consisting of Senators Peterson (Lowell), Peterson (Ted), Knoblauch, Sellar and Marsh to escort Senator Cook to a place of honor upon the rostrum.

The Senator from Oregon was introduced to the Senate by Senator Dan Marsh.

With leave of the Senate, business was suspended to permit Senator Cook to address the Senate.

The special committee escorted the honored guest from the rostrum.

## MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 10:20 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 10:20 a.m.

## REPORTS OF STANDING COMMITTEES

## GUBERNATORIAL APPOINTMENTS

January 25, 1973.

MERLE D. ADLUM, to the position of Member of the Canal Commission, appointed by the Governor on July 10, 1972 for the term ending June 30, 1975, succeeding Mrs. Frances Haddon Morgan (reported by the Committee on Transportation and Utilities):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker, Whetzel.

Passed to Committee on Rules.

January 25, 1973.

GEORGE WILLIAM KOSS, M.D., to the position of Member of the Washington State Aeronautics Commission, appointed by the Governor on September 10, 1970 for the term ending December 31, 1974, succeeding Emmett Watson (reported by the Committee on Transportation and Utilities):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker, Whetzel.

Passed to Committee on Rules.

January 25, 1973.

DR. RONALD A. WORKMAN, to the position of Member of the Washington State Aeronautics Commission, appointed by the Governor on March 28, 1972 for the term ending December 31, 1975, succeeding Donald G. Hansey (reported by the Committee on Transportation and Utilities):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker, Whetzel.

Passed to Committee on Rules.

January 25, 1973.

SENATE BILL NO. 2086, providing for weed control, Silver Lake, Cowlitz county (reported by Committee on Agriculture):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means.

Signed by: Senators Jolly, Chairman; Day, Donohue, Matson, Sellar, Twigg.

There being no objection, Senate Bill No. 2086 was referred to the Committee on Ways and Means.



## MESSAGE FROM THE HOUSE

January 24, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 36,

HOUSE BILL NO. 60,

HOUSE BILL NO. 107, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2314, by Senators Henry and Atwood (by Department of Personnel request):

An Act relating to public employment; specifying powers and duties of the state personnel board and the director of personnel; and amending section 15, chapter 1, Laws of 1935 as last amended by section 2, chapter 19, Laws of 1971 ex. sess. and RCW 41.06.150.

Referred to Committee on State Government.

SENATE BILL NO. 2315, by Senators Francis and Clarke (by Administrator for the Courts request):

An Act relating to judicial districts; and amending section 3, chapter 125, Laws of 1951 as last amended by section 5, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.061.

Referred to Judiciary Committee.

SENATE BILL NO. 2316, by Senator Rasmussen:

An Act relating to libraries; amending section 2, chapter 119, Laws of 1935 as last amended by section 1, chapter 122, Laws of 1965 and RCW 27.12.010; amending section 6, chapter 59, Laws of 1955 and RCW 27.12.060; amending section 5, chapter 119, Laws of 1935 as amended by section 5, chapter 65, Laws of 1941 and RCW 27.12.080; amending section 2, chapter 75, Laws of 1947 as last amended by section 1, chapter 63, Laws of 1965 and RCW 27.12.100; amending section 7, chapter 119, Laws of 1935 as amended by section 6, chapter 65, Laws of 1941 and RCW 27.12.180; amending section 8, chapter 119, Laws of 1935 as last amended by section 3, chapter 122, Laws of 1965 and RCW 27.12.190; and amending section 1, chapter 22, Laws of 1947 and RCW 27.12.220.

Referred to Committee on Higher Education.

SENATE BILL NO. 2317, by Senator Matson:

An Act relating to health and safety; amending section 61, chapter 238, Laws of 1967 and RCW 70.94.430; amending section 53, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.431; and prescribing penalties.

Referred to Committee on Ecology.

SENATE BILL NO. 2318, by Senator Rasmussen:

An Act relating to government; and amending section 35.63.070, chapter 7, Laws of 1965 and RCW 35.63.070.

Referred to Committee on State Government.

SENATE BILL NO. 2319, by Senators Francis, Clarke, Day and Peterson (Ted) (by Executive request):

An Act relating to the criminally insane; creating a new chapter in Title 10 RCW; creating new sections; repealing section 262, page 239, Laws of 1873, section 1, chapter 30, Laws of 1907 and RCW 10.76.010; repealing section 2, chapter 30, Laws of 1907 and RCW 10.76.020; repealing section 3, chapter 30, Laws of 1907 and RCW 10.76.030; repealing section 126, page 121, Laws of 1854, section 262, page 239, Laws of 1873, section 1101, Code of 1881, section 79, chapter 28, Laws of 1891, section 4, chapter 30, Laws of 1907 and RCW 10.76.040; repealing section 5, chapter 30, Laws of 1907, section 49, chapter 81, Laws of 1971 and RCW 10.76.050; repealing section 8, chapter 30, Laws of 1907, section 1,

chapter 48, Laws of 1957, section 1, chapter 9, Laws of 1965 ex. sess., section 50, chapter 81, Laws of 1971 and RCW 10.76.060; repealing section 6, chapter 30, Laws of 1907, section 2, chapter 48, Laws of 1957, section 2, chapter 9, Laws of 1965 ex. sess., section 51, chapter 81, Laws of 1971 and RCW 10.76.070; repealing section 7, chapter 30, Laws of 1907, section 52, chapter 81, Laws of 1971 and RCW 10.76.080; and declaring an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2320, by Senator Atwood:

An Act relating to small claims departments of justice courts; and amending section 1, chapter 187, Laws of 1919 as last amended by section 1, chapter 83, Laws of 1970 ex. sess. and RCW 12.40.010.

Referred to Judiciary Committee.

SENATE BILL NO. 2321, by Senators Fleming, Matson and Grant:

An Act relating to unemployment compensation; adding a new section to chapter 50.44 RCW; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2322, by Senators Francis, Murray, Ridder and Canfield (by Joint Committee on education request):

An Act relating to certain employer-employee relations between school districts and their certificated personnel; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW; adding a new section to chapter 250, Laws of 1971 ex. sess. and to chapter 42.30 RCW; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; and repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090.

Referred to Committee on Education.

SENATE BILL NO. 2323, by Senators Fleming, Jones and Ridder (by Public Pension Commission request):

An Act relating to retirement systems; amending section 1, chapter 78, Laws of 1949 and RCW 41.04.040; and amending section 3, chapter 78, Laws of 1949 and RCW 41.04.060.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2324, by Senators Day, Bailey and Atwood (by Department of Personnel request):

An Act relating to salaries of certain public officials; amending section 43.03.028, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1970 ex. sess. and RCW 43.03.028; and amending section 43.03.040, chapter 8, Laws of 1965 as amended by section 3, chapter 43, Laws of 1970 ex. sess. and RCW 43.03.040.

Referred to Committee on State Government.

SENATE BILL NO. 2325, by Senators Grant, Peterson (Ted) and Connor:

An Act relating to workmen's compensation; amending section 17, chapter 289, Laws of 1971 ex. sess. as amended by section 24, chapter 43, Laws of 1972 ex. sess. and RCW

51.32.073; and adding a new section to chapter 23, Laws of 1961 and to chapter 51.32 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2326, by Senators Durkan, Bailey and Rasmussen (by State Auditor request):

An Act relating to state government; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 4, chapter 170, Laws of 1971 ex. sess. and RCW 43.88.160.

Referred to Committee on State Government.

SENATE BILL NO. 2327, by Senators Grant, Woody and Connor:

An Act relating to workmen's compensation; amending section 51.32.070, chapter 23, Laws of 1961 as last amended by section 9, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.070; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2328, by Senators Walgren, Guess and Henry:

An Act relating to highways; making appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, and the Washington toll bridge authority; and declaring an emergency.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2329, by Senators Atwood and Mardesich:

An Act relating to state government; amending section 1, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.150; amending section 2, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.160; amending section 4, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.180; repealing section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.190 and providing an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 2330, by Senators Atwood and Clarke:

An Act relating to the supreme court; providing that the membership shall be reduced to seven judges; amending section 1, chapter 24, Laws of 1909 and RCW 2.04.070; amending section 2, chapter 24, Laws of 1909 as last amended by section 1, chapter 81, Laws of 1971 and RCW 2.04.071; amending section 2, chapter 38, Laws of 1955 as amended by section 3, chapter 81, Laws of 1971 and RCW 2.04.100; amending section 4, chapter 24, Laws of 1909 and RCW 2.04.150; and amending section 5, chapter 24, Laws of 1909 and RCW 2.04.170.

Referred to Judiciary Committee.

SENATE BILL NO. 2331, by Senators Washington, Sellar and Twigg (by Joint Committee on Education request):

An Act relating to joint school districts; amending section 28A.57.230, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.230; amending section 28A.57.240, chapter 223, Laws of 1969 ex. sess. as amended by section 131, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.240; amending section 28A.57.250, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.250; amending section 28A.57.255, chapter 223, Laws of 1969 ex. sess. as amended by section 133, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.255; and amending section 28A.57.260, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 53, Laws of 1971 and RCW 28A.57.260.

Referred to Committee on Education.

SENATE BILL NO. 2332, by Senators Woody and Atwood:

An Act relating to owners of stolen goods; and amending section 2, chapter 114, Laws of 1972 ex. sess. and RCW 19.60.064.

Referred to Judiciary Committee.

SENATE BILL NO. 2333, by Senators Day, Peterson (Ted), Greive, Herr and Whetzel (by Governor's Task Force on Aging request):

An Act relating to prescription drugs; amending section 3, chapter 98, Laws of 1935 as amended by section 18, chapter 38, Laws of 1963 and RCW 18.64.005; adding new sections to chapter 18.64 RCW; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2334, by Senators Gardner and Scott:

An Act relating to infants; and adding a new section to chapter 26.28 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2335, by Senators Murray and Gardner:

An Act relating to navigation and harbors; and adding a new section to chapter 88.16 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2336, by Senators Francis, Clarke, Day and Peterson (Ted) (by Executive request):

An Act relating to mental illness; creating a new chapter in Title 71 RCW; amending section 71.12.560, chapter 25, Laws of 1959 and RCW 71.12.560; amending section 71.12.570, chapter 25, Laws of 1959 and RCW 71.12.570; amending section 72.23.010, chapter 28, Laws of 1959 and RCW 72.23.010; amending section 72.23.070, chapter 28, Laws of 1959 as amended by section 50, chapter 292, Laws of 1971 ex. sess. and RCW 72.23.070; amending section 72.23.100, chapter 28, Laws of 1959 and RCW 72.23.100; adding a new chapter to Title 71 RCW; repealing section 71.02.010, chapter 25, Laws of 1959 and RCW 71.02.010; repealing section 71.02.020, chapter 25, Laws of 1959 and RCW 71.02.020; repealing section 71.02.090, chapter 25, Laws of 1959 and RCW 71.02.090; repealing section 71.02.100, chapter 25, Laws of 1959 and RCW 71.02.100; repealing section 71.02.110, chapter 25, Laws of 1959 and RCW 71.02.110; repealing section 71.02.120, chapter 25, Laws of 1959, section 9, chapter 196, Laws of 1959 and RCW 71.02.120; repealing section 71.02.130, chapter 25, Laws of 1959, section 10, chapter 196, Laws of 1959 and RCW 71.02.130; repealing section 71.02.140, chapter 25, Laws of 1959 and RCW 71.02.140; repealing section 71.02.150, chapter 25, Laws of 1959 and RCW 71.02.150; repealing section 71.02.160, chapter 25, Laws of 1959 and RCW 71.02.160; repealing section 71.02.170, chapter 25, Laws of 1959 and RCW 71.02.170; repealing section 71.02.180, chapter 25, Laws of 1959 and RCW 71.02.180; repealing section 71.02.190, chapter 25, Laws of 1959 and RCW 71.02.190; repealing section 71.02.200, chapter 25, Laws of 1959 and RCW 71.02.200; repealing section 71.02.210, chapter 25, Laws of 1959 and RCW 71.02.210; repealing section 71.02.220, chapter 25, Laws of 1959 and RCW 71.02.220; repealing section 71.02.230, chapter 25, Laws of 1959, section 3, chapter 127, Laws of 1967 ex. sess., section 63, chapter 292, Laws of 1971 ex. sess. and RCW 71.02.230; repealing section 71.02.240, chapter 25, Laws of 1959 and RCW 71.02.240; repealing section 71.02.250, chapter 25, Laws of 1959, section 1, chapter 51, Laws of 1959 and RCW 71.02.250; repealing section 2, chapter 51, Laws of 1959 and RCW 71.02.255; repealing section 71.02.260, chapter 25, Laws of 1959 and RCW 71.02.260; repealing section 71.02.270, chapter 25, Laws of 1959 and RCW 71.02.270; repealing section 71.02.280, chapter 25, Laws of 1959 and RCW 71.02.280; repealing section 71.02.290, chapter 25, Laws of 1959 and RCW 71.02.290; repealing section 71.02.300, chapter 25, Laws of 1959 and RCW 71.02.300; repealing section 71.02.450, chapter 25, Laws of 1959, section 1, chapter 24, Laws of 1967 and RCW 71.02.450; repealing section 71.02.650, chapter 25, Laws of 1959 and RCW 71.02.650; repealing section 2, chapter 196, Laws of 1959 and RCW 71.03.010; repealing section 4, chapter 196, Laws of 1959 and RCW 71.03.020; repealing section 5, chapter 196, Laws of 1959 and RCW 71.03.030; repealing section 6, chapter 196, Laws of 1959 and RCW 71.03.040; repealing section 7, chapter 196, Laws of 1959 and RCW 71.03.050; repealing section 8, chapter 196, Laws of 1959 and RCW 71.03.060; repealing section 3, chapter 196, Laws of 1959 and RCW 71.03.900; repealing section 71.12.580, chapter 25, Laws of 1959 and RCW 71.12.580;

repealing section 1, chapter 145, Laws of 1959 and RCW 72.01.390; repealing section 2, chapter 145, Laws of 1959 and RCW 72.01.400; repealing section 72.08.110, chapter 28, Laws of 1959 and RCW 72.08.110; repealing section 72.23.090, chapter 28, Laws of 1959, section 51, chapter 292, Laws of 1971 ex. sess. and RCW 72.23.090; repealing section 72.23.140, chapter 28, Laws of 1959 and RCW 72.23.140; repealing section 72.23.150, chapter 28, Laws of 1959 and RCW 72.23.150; repealing section 72.23.220, chapter 28, Laws of 1959 and RCW 72.23.220; repealing section 72.23.270, chapter 28, Laws of 1959 and RCW 72.23.270; repealing section 72.25.040, chapter 28, Laws of 1959, section 4, chapter 78, Laws of 1965 and RCW 72.25.040; prescribing penalties; and declaring an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2337, by Senators Walgren, Guess and Henry (by Executive request):

An Act relating to expenditures by the Washington state highway commission; making an appropriation and authorizing expenditures for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; and declaring an emergency.

Referred to Committee on Transportation and Utilities.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2319, 2322, 2333 and 2336.

HOUSE BILL NO. 36, by Representative Smythe:

Permitting disbursement of county funds under the control of the county auditor and treasurer.

Referred to Committee on Local Government.

HOUSE BILL NO. 60, by Representatives Johnson, Kuehnle and Haussler (by Legislative Council request):

Authorizing disposal of surplus real property by irrigation districts.

Referred to Committee on Local Government.

HOUSE BILL NO. 107, by Representatives Haussler and Curtis:

Repealing the requirement that directors of television reception improvement districts be bonded.

Referred to Committee on Local Government.

#### MOTIONS

On motion of Senator Day, Senate Bill No. 2078 was ordered to hold its place on the second reading calendar for Friday, January 26, 1973.

On motion of Senator Knoblauch, Senator Mardesich was excused.

#### SECOND READING

SENATE BILL NO. 2080, by Senators Woody, Atwood, Clarke and Bottiger:

Amending the law relating to fees of superior court clerks.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2080 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2080, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 2; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—40.

Voting nay: Senators Durkan, Odegaard—2.

Absent or not voting: Senators Lewis (Harry), Twigg—2.

Excused: Senators Bottiger, Fleming, Mardesich, Stender, Washington—5.

SENATE BILL NO. 2080, having received the 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 Senator Francis, Senate Joint Resolution No. 107 was referred to the Judiciary Committee.

On motion of Senator Grant, Senate Joint Resolution No. 103 was ordered to hold its place on the second reading calendar for Friday, January 26, 1973.

At 10:40 a.m., on motion of Senator Walgren, the Senate adjourned until 9:30 a.m., Friday, January 26, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## NINETEENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 26, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Mardesich, Scott, Twigg and Washington. On motion of Senator Lewis (Harry), Senators Scott and Twigg were excused. On motion of Senator Bailey, Senator Mardesich was excused. Senators Bottiger and Washington were excused previously by Senator Mardesich to attend the National Conference on Criminal Justice in Washington, D.C. from January 23 through January 26, 1973.

The Color Guard, consisting of Pages Gregory Girard and Melissa Smith, presented the Colors. Reverend J. Alan Justad, of First United Methodist Church of Olympia, offered the following prayer:

"O GOD, WHO ART OUR REFUGE AND STRENGTH, OUR HELP IN TROUBLE, WE PRAY THAT THOU WILT LEAD US TO A HIGHER PLANE OF COURAGE AND FAITH AND THAT THE INFLUENCE OF OUR LIVES AND THE EXAMPLE OF OUR SPIRITS MAY ALWAYS BE FOR THY GLORY AND FOR THE GOOD OF THIS GREAT STATE OF WASHINGTON. RENEW IN US A DEEPER DEVOTION TO THEE, A GREATER LOVE FOR OUR FELLOW MAN AND A STRONGER FAITH THAT RIGHT IS RIGHT AND WILL ULTIMATELY PREVAIL EVEN IN UNCERTAIN TIMES. TO THEE WE COMMEND OUR STATE. BE THOU THE SOURCE OF HER STRENGTH AND MAKE HER EVER MINDFUL OF THY PROVIDENCE. WE PRAY FOR SPECIAL BLESSINGS UPON OUR GOVERNOR, OUR LIEUTENANT GOVERNOR, EVERY MEMBER OF THIS BODY, EVERY OFFICER, EVERY CLERK, EVERY SECRETARY, EVERY REPORTER, EVERY PAGE, AND EVERY GUEST. AS MEN AND WOMEN SELECTED FOR SPECIAL SERVICE TO OUR GREAT STATE, MAY WE KEEP OUR RECORD TRUE—TO THINK WITHOUT CONFUSION CLEARLY, TO LOVE OUR FELLOWMAN SINCERELY, TO ACT FROM HONEST MOTIVES PURELY, TO TRUST IN GOD AND HEAVEN SECURELY. WE ASK THIS IN THY NAME. AMEN."

### MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

### PERSONAL PRIVILEGE

Senator Guess: "I would like to express my appreciation to the chaplain for the prayer we have just had. I feel that this pause each day and the asking of support by our God to sustain us is a very strong factor in renewing the strength of each one of us to serve as we

do. And I appreciate it very much and I would move that a copy of the prayer be placed on the desk of each Senator.”

A copy of the prayer was placed on each Senator's desk.

#### PERSONAL PRIVILEGE

Senator Peterson (Ted): “I do not like to becloud the morning session when we start out but last year we had suggested, I do not think you were on the podium then, that we announce that we are now saluting the flag. There were at least nine in the gallery that did not even put their hand up and salute the flag and it might be that they did not realize that this is the procedure we follow in the mornings when we get up and salute the flag of the United States.”

#### REPORTS OF STANDING COMMITTEES

January 26, 1973.

SENATE BILL NO. 2017, making certain changes in the veterans bonus law (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Fleming, Grant, Lewis (Harry), Metcalf, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

January 26, 1973.

SENATE BILL NO. 2090, authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended, and that the bill be referred to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

There being no objection, Senate Bill No. 2090 was referred to the Committee on Ways and Means.

January 26, 1973.

SENATE BILL NO. 2119, authorizing retirement plans, including old age annuities, for faculty members and other employees of community colleges (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended, and that the bill be referred to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

There being no objection, Senate Bill No. 2119 was referred to the Committee on Ways and Means.

January 26, 1973.

SENATE BILL NO. 2163, authorizing conduct of certain educational programs for military personnel by community colleges (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.

January 26, 1973.

SENATE BILL NO. 2174, setting forth minimum standards for police forces of state colleges and universities (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.



January 26, 1973.

SENATE BILL NO. 2184, permitting community college district to have police forces (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.

January 26, 1973.

SENATE BILL NO. 2309, authorizing EXPO '74 bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted).

Passed to Committee on Rules for second reading.

### GUBERNATORIAL APPOINTMENTS

January 26, 1973.

DR. GLENN TERRELL, to the position of member of the Western Interstate Commission on Higher Education appointed by the Governor on June 2, 1971 for the term ending June 9, 1975, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

JAMES FURMAN, to the position of member of the Western Interstate Commission for Higher Education appointed by the Governor on June 2, 1971 for the term ending June 9, 1975, succeeding himself (reported by Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 25, 1973.

GERALD A. HUNT, to the position of member of the Board of Trustees of Peninsula Community College District No. 1 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 25, 1973.

FREDERICK B. ROSMOND, to the position of member of the Board of Trustees of Peninsula Community College District No. 1 appointed by the Governor on May 28, 1971 for the term ending April 3, 1976, succeeding Boyd Rupp (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 25, 1973.

STANLEY C. GILLIES, to the position of member of the Board of Trustees of Grays Harbor Community College District No. 2 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding Harry C. James (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 25, 1973.

LOUIS SORIANO, to the position of member of the Board of Trustees of Olympic Community College District No. 3 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 25, 1973.

BARNEY BEEKSMA, to the position of member of the Board of Trustees of Skagit Valley Community College District No. 4 appointed by the Governor on April 25, 1972 for the term ending April 3, 1977, succeeding Norman P. Oldenburg (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 25, 1973.

JOHN D. WOODWARD, to the position of member of the Board of Trustees of Everett-Edmonds Community College District No. 5 appointed by the Governor on May 28, 1971 for the term ending April 3, 1976, succeeding Edward S. Bordsen (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

GEORGE A. FRENCH, to the position of member of the Board of Trustees of Community College District No. 6 (Seattle) appointed by the Governor on September 20, 1971 for the term ending April 3, 1976, succeeding James Sullivan (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 25, 1973.

JOHN DONOVAN, to the position of member of the Board of Trustees of Everett-Edmonds Community College District No. 5 appointed by the Governor on April 26, 1972 for the term ending April 3, 1977, succeeding Anne Nelskog (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to the Committee on Rules.

January 25, 1973.

ARTHUR SIEGAL, to the position of member of the Board of Trustees of Community College District No. 6 (Seattle) appointed by the Governor on April 3, 1970 for the term ending April 3, 1975, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

MRS. ROY S. MAR, to the position of member of the Board of Trustees of Seattle Community College District No. 6 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding herself (reported by the Committee on Higher Education): MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

MRS. INA V. KNUITSEN, to the position of member of the Board of Trustees of Shoreline Community College District No. 7 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding herself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

C. W. DUFFY, to the position of member of the Board of Trustees of Bellevue Community College District No. 8 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

ROY PETERSON, to the position of member of the Board of Trustees of Bellevue Community College District No. 8 appointed by the Governor on June 10, 1971 for the term ending April 3, 1976, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

MRS. SHIRLEY S. MURRAY, to the position of member of the Board of Trustees of Highline Community College District No. 9 appointed by the Governor on April 12, 1972 for the term ending April 3, 1977, succeeding herself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

MRS. HELEN SMITH, to the position of member of the Board of Trustees of Green River Community College District No. 10 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding herself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

REVEREND M. E. NESSE, to the position of member of the Board of Trustees of Fort Steilacoom Community College District No. 11 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding James A. Davis (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

DONALD M. MATHESON, to the position of member of the Board of Trustees of Fort Steilacoom Community College District No. 11 appointed by the Governor on June 8, 1971 for the term ending April 3, 1975, succeeding John L. Aram (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

WARREN S. MILLER, to the position of member of the Board of Trustees of Fort Steilacoom Community College District No. 11 appointed by the Governor on June 1, 1971 for the term ending April 3, 1976, succeeding Gordon S. Gaspard (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

VERNON L. MARTIN, to the position of member of the Board of Trustees of Centralia Community College District No. 12 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

GEORGE WARREN, to the position of member of the Board of Trustees of Centralia Community College District No. 12 appointed by the Governor on June 1, 1972 for the term ending April 3, 1976, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

DENNIS PITTELKO, to the position of member of the Board of Trustees of Lower Columbia Community College District No. 13 appointed by the Governor on April 25, 1972 for the term ending April 3, 1977, succeeding William L. Brigman (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

O. LLOYD HINDS, SR., to the position of member of the Board of Trustees of Clark Community College District No. 14 appointed by the Governor on April 12, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

January 26, 1973.

J. K. McARTHUR, JR., to the position of member of the Board of Trustees of Wenatchee Community College District No. 15 appointed by the Governor on April 24, 1972 for the term ending April 3, 1977, succeeding Ross A. Heminger (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

MELVIN G. HAMMER, to the position of member of the Board of Trustees of Wenatchee Community College District No. 15 appointed by the Governor on November 18, 1971 for the term ending April 3, 1974, succeeding Dr. Joseph Beall (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

YOSHIO HATA, to the position of member of the Board of Trustees of Yakima Valley Community College District No. 16 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

PAUL RICKMAN, to the position of member of the Board of Trustees of Yakima Valley Community College District No. 16 appointed by the Governor on May 11, 1971 for the term ending April 3, 1976, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

BRYANT SMICK, to the position of member of the Board of Trustees of Spokane Community College District No. 17 appointed by the Governor on June 10, 1971 for the term ending April 3, 1976, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

DAVID ROBERTS, to the position of member of the Board of Trustees of Spokane Community College District No. 17 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

JOHN JONES, to the position of member of the Board of Trustees of Big Bend Community College District No. 18 appointed by the Governor on April 7, 1972 for the

term ending April 3, 1977, succeeding Dr. Harold L. Tracy (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

GUY D. ADAMS, to the position of member of the Board of Trustees of Columbia Basin Community College District No. 19 appointed by the Governor on April 24, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

STEVEN J. HUNTINGTON, to the position of member of the Board of Trustees of Walla Walla Community College District No. 20 appointed by the Governor on June 1, 1971 for the term ending April 3, 1974, succeeding Arden Archer (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

DR. GEORGE W. WOOD, to the position of member of the Board of Trustees of Walla Walla Community College District No. 20 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

DR. SAM P. KELLY, to the position of member of the Board of Trustees of Whatcom Community College District No. 21 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

ROBERT O'NEILL SPRINGER, to the position of member of the Board of Trustees of Tacoma Community College District No. 22 appointed by the Governor on July 9, 1971 for the term ending April 3, 1976, succeeding John Binns (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.

Passed to Committee on Rules.

January 26, 1973.

ROBERT M. YAMASHITA, to the position of member of the Board of Trustees of Tacoma Community College District No. 22 appointed by the Governor on April 7, 1972 for the term ending April 3, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf.  
Passed to Committee on Rules.

MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:00 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:00 a.m.

MESSAGES FROM THE GOVERNOR

Office of the Governor, January 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on January 25, 1973, Governor Evans approved the following Senate Bill entitled:

ENGROSSED SENATE BILL NO. 2021: Providing for annual general elections.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Ralph Mackey, appointed January 9, 1973 for a term ending December 31, 1978, succeeding himself as a member of the Washington State Parks and Recreation Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Parks and Recreation.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Wilfred Woods, appointed January 9, 1973 for a term ending December 31, 1978, succeeding himself as a member of the Washington State Parks and Recreation Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Parks and Recreation.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. William A. Gissberg, appointed January 15, 1973 for a term ending July 1, 1978, succeeding Matthew Hill as a member of the Pollution Control Hearings Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

#### MOTION

On motion of Senator Walgren, the rules were suspended and the appointment of the Honorable William A. Gissberg to the position of member of the Pollution Control Hearings Board was confirmed.

#### REMARKS BY SENATOR WALGREN

Senator Walgren: "Mr. President and members of the Senate, I know that I need not go into any detail with regard to Senator Gissberg and his certainly illustrious service as a member of this legislature. We know him all well and we know certainly the very fine work that he has done in this legislature, particularly with regard to matters involving the ecology and the fine work that he did in connection with the Shorelines Management Bill and, of course, all the other fine works of legislation that he accomplished while he was a member with us. We have all missed him, of course, already as a member of this body. We are sorry he is not with us now but he will be with us in connection with his duties as a member of the hearings board which he has been appointed to and I certainly recommend his confirmation."

#### REMARKS BY SENATOR WOODALL

Senator Woodall: "I would like to pay tribute to Mr. Gissberg. I have served with him longer than anyone on this side of the aisle. I served with him on the Judiciary Committee of which he was chairman here in the Senate, and then in the interim I was chairman of the Legislative Council's Judiciary Committee and he served with me. Last year when he announced that he was not going to seek reelection I had the committee clerk call and ask him, was he going to be active in the interim or should we look for a substitute. He wrote back and said he was going to be the most active lame duck committee member that we had ever known. And he certainly was. He carried on on every committee meeting, his attendance record was better than some of those who planned to return. He was particularly helpful on a disclosure bill that we were working on on this matter of real estate disclosure. And he came down and attended the last meeting of the full Council to fully explain that particular measure and help to get it through. He is eminently qualified as all of us know and we all know his fine service and his fine record here. It is a real pleasure to be able to speak in his behalf and to vote for his confirmation."

#### APPOINTMENT OF HONORABLE WILLIAM A. GISSBERG

The Secretary called the roll and the appointment of the Honorable William A. Gissberg to the position of member of the Pollution Control Hearings Board was confirmed by the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—43.

Absent or not voting: Senator Ridder—1.

Excused: Senators Bottiger, Mardesich, Scott, Twigg, Washington—5.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:



Dr. Werner Quast, appointed December 14, 1972 for a term ending December 31, 1975, as a member of the Public Disclosure Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Constitution and Elections.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Kenneth Kennedy, appointed December 14, 1972, for a term ending December 31, 1976, as a member of the Public Disclosure Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Constitution and Elections.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mrs. Jean Davis, appointed December 14, 1972 for a term ending December 31, 1974, as a member of the Public Disclosure Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Constitution and Elections.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Fred Haley, appointed December 14, 1972 for a term ending December 31, 1973, as a member of the Public Disclosure Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Constitution and Elections.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Sam Kinville, appointed December 29, 1972 for a term ending January 4, 1979, as a member of the State Personnel Board.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on State Government.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Francis Holman, appointed December 14, 1972 for a term ending December 31, 1977, as a member of the Public Disclosure Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

#### MOTION

On motion of Senator Walgren, the rules were suspended and the appointment of the Honorable Francis Holman to the position of member of the Public Disclosure Commission was confirmed.

#### REMARKS BY SENATOR WHETZEL

Senator Whetzel: "Mr. President, I would like to speak in behalf of the confirmation of Francis Holman to the Public Disclosure Commission. I served with ex-Senator Holman in the House and sat behind him the last two sessions in the Senate and am now occupying his seat. This close relationship proximity gave me a great deal of knowledge and acquaintanceship of Senator Holman while he was in the Senate and I was certainly impressed, as I am sure all of us were, with his tremendous knowledge on so many areas of state government, his indefatigable energy to involve himself in so many particular matters, and I know I can speak for the members here on our side that we have respected his ability to handle so many things and feel a great loss that he is not with us any longer, and I think for the members of the other side where Senator Holman had many friends throughout his term of service in the legislature that they know him as a person who is fair-minded, knowledgeable and judicious and I think as the only person, to my knowledge, on the Public Disclosure Commission served in the legislature, he will be an extremely valuable member of that commission and will enable it to perform its duties in the best possible manner for the benefit of the public and for the public officials who are subject to the jurisdiction of that commission, and I urge his confirmation."

#### APPOINTMENT OF HONORABLE FRANCIS HOLMAN

The Secretary called the roll and the appointment of the Honorable Francis Holman to the position of member of the Public Disclosure Commission was confirmed by the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Walgren, Wanamaker, Whetzel, Woodall, Woody—43.

Absent or not voting: Senator Van Hollebeke—1.

Excused: Senators Bottiger, Mardesich, Scott, Twigg, Washington—5.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Elmer Huntley, appointed January 24, 1973 for a term ending January 1, 1979, succeeding Ed Harris as a member of the Utilities and Transportation Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

#### MOTION

On motion of Senator Walgren, the rules were suspended and the appointment of the Honorable Elmer Huntley to the position of member of the Utilities and Transportation Commission was confirmed.

## REMARKS BY SENATOR HENRY

Senator Henry: "Mr. President and members of the Senate, for me to try to say too many nice things about Elmer Huntley would be putting the frosting on the cake. We all know him, we have all served with him, we know his ability. He was a personal friend as well as a Senate colleague. He has been a member of the Highway Commission; he is successful in his own business; he is a fine level-headed upstanding American citizen and I think that it is one of the finest appointments that has been made."

## REMARKS BY SENATOR ATWOOD

Senator Atwood: "Mr. President, I would like to echo Senator Henry's remarks. Elmer Huntley is an outstanding public servant. He has been the chairman of the State Highway Commission, former State Senator and now, hopefully, with our confirmation a member of the Utilities and Transportation Committee. We miss Elmer here on this side of the aisle although I know that you fellows do not, and I am glad to find him back in state government because he is a first class public servant and I would urge your support on this confirmation."

## REMARKS BY SENATOR CANFIELD

Senator Canfield: "I too would like to support the nomination of Elmer Huntley. He is a man whom we all know. He is a man who has a very fine record in many fields of endeavor in both public and private life. He is a man who is highly respected in his home community and throughout the state as a citizen, as a legislator both in House and Senate, a man who has been very successful in business, a former chairman of the state Highway Commission. I feel very strongly that Elmer Huntley is eminently qualified for this appointment and I heartily approve it."

## REMARKS BY SENATOR DONOHUE

Senator Donohue: "Mr. President and members of the Senate, I too want to join with the other members of the Senate in affirming the appointment of Senator Elmer Huntley. As everyone knows, Senator Huntley and I recently had a little confab between the two of us. Senator Huntley was a gentleman and is a gentleman and is a good friend. I have served with him and introduced legislation the past four years and I want to join with everybody in voting for his confirmation."

## APPOINTMENT OF HONORABLE ELMER HUNTLEY

The Secretary called the roll and the appointment of Honorable Elmer Huntley to the position of member of the Utilities and Transportation Commission was confirmed by the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody-44.

Excused: Senators Bottiger, Mardesich, Scott, Twigg, Washington-5.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. James T. Quigg, appointed January 12, 1973 for a term ending April 3, 1975, as a

member of the Board of Trustees of Community College District No. 2, succeeding Oliver Tibbetts.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:  
Mr. Stewart Bledsoe, appointed January 24, 1973 for a term ending at the pleasure of the Governor as Director of the Department of Agriculture, succeeding Cameron Adams.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Agriculture.

#### MESSAGES FROM THE HOUSE

January 25, 1973.

Mr. President: The House has passed HOUSE BILL NO. 127, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

January 25, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 14, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2338, by Senators Peterson (Lowell), Peterson (Ted) and Marsh (by Interim Committee on Fisheries, Game and Game Fish request):

An Act relating to anadromous fish; providing for a compact between the states of Washington, Oregon and Idaho relative to anadromous fish in the waters of the Columbia and Snake Rivers and providing for the ratification thereof; repealing section 75.40.010, chapter 12, Laws of 1955 and RCW 75.40.010; repealing section 75.40.020, chapter 12, Laws of 1955 and RCW 75.40.020; and repealing the compact now existing between Oregon and Washington relating to fish in the concurrent waters of the Columbia River.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2339, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

An Act relating to state government; creating an advisory council within the department of fisheries; and adding new sections to chapter 75.08 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2340, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

An Act relating to the department of fisheries; and amending section 75.08.090, chapter 12, Laws of 1955 and RCW 75.08.090.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2341, by Senators Bailey and Rasmussen (by State Auditor request):

An Act relating to state government; transferring certain statutory duties of the state auditor; amending section 4, page 322, Laws of 1890 as amended by section 1, chapter 38, Laws of 1955 and RCW 2.04.031; amending section 1, chapter 144, Laws of 1953 as last amended by section 1, chapter 100, Laws of 1972 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as amended by section 2, chapter 100, Laws of 1972 ex. sess. and RCW 2.06.060; amending section 1, chapter 229, Laws of 1937 as last amended by section 1, chapter 30, Laws of 1971 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as amended by section 4, chapter 30, Laws of 1971 and RCW 2.12.020; amending section 6, chapter 229, Laws of 1937, as last amended by section 1, chapter . . . (HB . . .), Laws of 1973 and RCW 2.12.060; amending section 9, chapter 259, Laws of 1957 and RCW 2.56.090; amending section 4, chapter 213, Laws of 1955 and RCW 8.04.090; amending section 10, chapter 74, Laws of 1891 and RCW 8.04.160; amending section 2, page 284, Laws of 1877 as amended by section 1291, Code of 1881 and RCW 10.85.025; amending section 49, chapter 256, Laws of 1961 and RCW 15.65.490; amending section 8, chapter 152, Laws of 1919 and RCW 17.12.080; amending section 11, chapter 119, Laws of 1935 and RCW 27.08.010; amending section 28A.04.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.110; amending section 42, chapter 130, Laws of 1943 and RCW 38.24.010; amending section 1, chapter 70, Laws of 1947 and RCW 41.04.020; amending section 2, chapter 208, Laws of 1957 and RCW 41.04.036; amending section 1, page 6, Laws of 1890 and RCW 44.04.040; amending section 1, page 3, Laws of 1890 and RCW 44.04.050; amending section 1, page 10, Laws of 1890 and RCW 44.04.060; amending section 2, chapter 173, Laws of 1941 and RCW 44.04.090; amending section 47.01.160, chapter 13, Laws of 1961 as last amended by section 1, chapter 115, Laws of 1971 ex. sess. and RCW 47.01.160; amending section 47.08.080, chapter 13, Laws of 1961 and RCW 47.08.080; amending section 47.08.090, chapter 13, Laws of 1961 and RCW 47.08.090; amending section 47.08.100, chapter 13, Laws of 1961 and RCW 47.08.100; amending section 47.56.050, chapter 13, Laws of 1961 and RCW 47.56.050; amending section 47.56.180, chapter 13, Laws of 1961 and RCW 47.56.180; amending section 47.58.040, chapter 13, Laws of 1961 as last amended by section 64, chapter 56, Laws of 1970 ex. sess. and RCW 47.58.040; amending section 47.60.060, chapter 13, Laws of 1961 as last amended by section 65, chapter 56, Laws of 1970 ex. sess. and RCW 47.60.060; amending section 51.40.040, chapter 23, Laws of 1961 and RCW 51.40.040; amending section 51.44.110, chapter 23, Laws of 1961 and RCW 51.44.110; amending section 15, chapter 197, Laws of 1949 as amended by section 11, chapter 252, Laws of 1959 and RCW 70.40.150; amending section 72.08.170, chapter 28, Laws of 1959 and RCW 72.08.170; amending section 74.08.370, chapter 26, Laws of 1959 and RCW 74.08.370; amending section 75.08.250, chapter 12, Laws of 1955 and RCW 75.08.250; amending section 77.12.390, chapter 36, Laws of 1955 and RCW 77.12.390; amending section 6, chapter 175, Laws of 1939 as last amended by section 1, chapter 49, Laws of 1951 and RCW 78.48.080; amending section 7, chapter 69, Laws of 1909 as last amended by section 43, chapter 257, Laws of 1959 and RCW 79.24.030; amending section 13, chapter 240, Laws of 1951 and RCW 86.26.110; amending section 3, chapter 105, Laws of 1929 as amended by section 1, chapter 209, Laws of 1939 and RCW 90.16.090; and repealing section 6, chapter 58, Laws of 1933 ex. sess., section 11, chapter 38, Laws of 1955; section 10, chapter 259, Laws of 1957 and RCW 2.16.060.

Referred to Committee on State Government.

SENATE BILL NO. 2342, by Senators Gardner, Peterson (Ted) and Odegaard:

An Act relating to school districts; amending section 28A.58.136, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.136; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and creating a new section.

Referred to Committee on Education.

SENATE BILL NO. 2343, by Senators Greive, Woodall and Francis (by Legislative Council request):

An Act relating to evidence; and adding a new section to chapter 4.44 RCW.  
Referred to Judiciary Committee.

SENATE BILL NO. 2344, by Senators Woodall, Walgren and Bottiger (by Legislative Council request):

An Act relating to motor vehicle driver's licenses; and reenacting and amending section 46.20.390, chapter 12, Laws of 1961 as amended by section 32, chapter 32, Laws of 1967 and RCW 46.20.390.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2345, by Senators Atwood, Durkan and Canfield:

An Act relating to state government; adding a new section to chapter 44.28 RCW; amending section 43.10.067, chapter 8, Laws of 1965 and RCW 43.10.067; and repealing section 11, chapter 43, Laws of 1951, section 9, chapter 206, Laws of 1955 and RCW 44.28.140.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2346, by Senators Durkan, Atwood, Donohue and Murray (by Executive request):

An Act relating to revenue and taxation; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. and RCW 28A.41.130; amending section . . . , chapter . . . (HB No. . . .), Laws of 1973 and RCW 28A.41.130; amending section 28B.20.394, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 107, Laws of 1972 ex. sess. and RCW 28B.20.394; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 42, Laws of 1970 ex. sess. and RCW 35A.40.090; amending section 1, chapter 25, Laws of 1971 ex. sess. and RCW 36.33.220; amending section 1, chapter 102, Laws of 1972 ex. sess. and RCW 36.40.300; amending section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060; amending section 4, chapter 243, Laws of 1971 ex. sess. and RCW 84.34.230; amending section 84.52.010, chapter 15, Laws of 1961 as last amended by section 6, chapter 243, Laws of 1971 ex. sess. and RCW 84.52.010; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter . . . (HB No. 55), Laws of 1973 and RCW 84.52.052; amending section 84.52.056, chapter 15, Laws of 1961 and RCW 84.52.056; amending section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061; amending section 23, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.040; adding a new section to chapter 84.52 RCW; repealing section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063; establishing effective dates; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2347, by Senators Ridder, Talley and Canfield:

An Act relating to sewer districts; amending section 11, chapter 210, Laws of 1941 as last amended by section 2, chapter 272, Laws of 1971 ex. sess. and RCW 56.08.020; amending section 15, chapter 210, Laws of 1941 as amended by section 7, chapter 250, Laws of 1953 and RCW 56.08.050; adding a new section to chapter 56.16 RCW; repealing section 16, chapter 210, Laws of 1941, section 2, chapter 129, Laws of 1951, section 11, chapter 250, Laws of 1953, section 5, chapter 103, Laws of 1959 and RCW 56.16.020; and repealing section 7, chapter 103, Laws of 1959 and RCW 56.16.035.

Referred to Committee on Local Government.

SENATE BILL NO. 2348, by Senators Grant, Rasmussen and Newschwander:

An Act relating to retirement systems for law enforcement officers; adding new sections to chapters 41.26; and adding new sections to chapter 43.43 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2349, by Senators Matson, Guess and Canfield:

An Act relating to revenue and taxation; exempting deposits on milk containers from

the retail sales tax and business and occupation tax; amending section 82.04.070, chapter 15, Laws of 1961 and RCW 82.04.070; 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 and Means.

SENATE BILL NO. 2350, by Senator Francis (by Judicial Council request):

An Act relating to the appointment and compensation of pro tempore judges of the court of appeals; and adding new sections to chapter 2.06 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2351, by Senator Francis (by Judicial Council request):

An Act relating to failure to appear when required by a court after being admitted to bail or released on recognizance; and adding a new section to chapter 10.19 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2352, by Senators Sandison and Wanamaker:

An Act relating to prosecuting attorneys; amending section 36.27.060, chapter 4, Laws of 1963 as last amended by section 2, chapter 237, Laws of 1971 ex. sess. and RCW 36.27.060; and providing an effective date.

Referred to Committee on Local Government.

SENATE BILL NO. 2353, by Senators Grant, Gardner and Canfield (by Secretary of State request):

An Act relating to elections; amending section 29.27.060, chapter 9, Laws of 1965 and RCW 29.27.060; amending section 29.79.040, chapter 9, Laws of 1965 and RCW 29.79.040; amending section 29.79.050, chapter 9, Laws of 1965 and RCW 29.79.050; and amending section 29.79.080, chapter 9, Laws of 1965 and RCW 29.79.080.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2354, by Senators Gardner, Peterson (Ted) and Odegaard:

An Act relating to school districts; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 24, Laws of 1971 and RCW 28A.24.055; amending section 1, chapter 78, Laws of 1971 and RCW 28A.24.110; and adding a new section to chapter 28A.24 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2355, by Senators Gardner, Murray and Walgren:

An Act relating to navigation and harbors; and adding a section to chapter 88.16 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2356, by Senators Grant, Gardner and Murray (by Secretary of State request):

An Act relating to elections; amending section 29.36.010, chapter 9, Laws of 1965 as amended by section 37, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.010; and amending section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2357, by Senators Grant, Gardner and Murray (by Secretary of State request):

An Act relating to the counting of absentee ballots; and amending section 29.36.060, chapter 9, Laws of 1965 and RCW 29.36.060.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2358, by Senators Ridder, Connor and Metcalf:

An Act relating to the public employees' retirement system; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2359, by Senator Talley:

An Act relating to food fish; and adding a new section to chapter 75.20 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2360, by Senators Bailey and Rasmussen (by State Auditor request):

An Act relating to state government; transferring certain statutory duties of the state auditor; amending section 1, chapter 223, Laws of 1949 and RCW 40.20.020; amending section 43.84.110, chapter 8, Laws of 1965 and RCW 43.84.110; amending section 47.24.010, chapter 13, Laws of 1961 and RCW 47.24.010; amending section 75.08.240, chapter 12, Laws of 1955 and RCW 75.08.240; amending section 82.36.410, chapter 15, Laws of 1961 and RCW 82.36.410; amending section 19, chapter 22, Laws of 1963 ex. sess. as amended by section 5, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.190; amending section 82.40.290, chapter 15, Laws of 1961 as last amended by section 7, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.290; amending section 84.08.050, chapter 15, Laws of 1961 and RCW 84.08.050; amending section 84.12.240, chapter 15, Laws of 1961 and RCW 84.12.240; amending section 84.16.032, chapter 15, Laws of 1961 and RCW 84.16.032; amending section 84.48.110, chapter 15, Laws of 1961 and RCW 84.48.110; repealing section 43.79.360, chapter 8, Laws of 1965 and RCW 43.79.360; and repealing section 77.04.070, chapter 36, Laws of 1955 and RCW 77.04.070.

Referred to Committee on State Government.

SENATE BILL NO. 2361, by Senators Stortini, Metcalf, Canfield and Ridder (by Secretary of State request):

An Act relating to the voters' pamphlet; amending section 29.81.010, chapter 9, Laws of 1965 and RCW 29.81.010; amending section 29.81.020, chapter 9, Laws of 1965 and RCW 29.81.020; amending section 29.81.030, chapter 9, Laws of 1965 and RCW 29.81.030; amending section 29.81.040, chapter 9, Laws of 1965 as amended by section 4, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.040; amending section 29.81.050, chapter 9, Laws of 1965 and RCW 29.81.050; and adding new sections to chapter 9, Laws of 1965 and chapter 29.81 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2362, by Senators Talley, Connor and Canfield:

An Act relating to special districts; amending section 1, chapter 261, Laws of 1961 and RCW 56.08.100; and amending section 2, chapter 261, Laws of 1961 and RCW 57.08.100.

#### MOTION

On motion of Senator Fleming, Senate Bill No. 2362 was referred to Committee on Financial Institutions.

SENATE BILL NO. 2363, by Senators Gardner, Jones and Ridder (by Public Pension Commission request):

An Act relating to inheritance taxes; and amending section 1, chapter 8, Laws of 1965 ex. sess. and RCW 82.20.030.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2364, by Senators Atwood and Woody:

An Act relating to motor vehicles; amending section 4, chapter 1, Laws of 1969 and RCW 46.20.092; amending section 6, chapter 1, Laws of 1969 and RCW 46.20.911; amending section 3, chapter 1, Laws of 1969 and RCW 46.61.506; amending section 12, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.120; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 127, by Representatives Kilbury, Amen and Van Dyk:



Implementing law relating to distribution of taxes collected for taxing district purposes.

Referred to Committee on Local Government.

HOUSE CONCURRENT RESOLUTION NO. 14, by Representative Charette:  
Memorial service for deceased former members.

#### MOTIONS

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 14 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 14 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### SECOND READING

SENATE BILL NO. 2078, by Senators Durkan, Atwood, Newschwander and Gardner (by Legislative Budget Committee request):

Implementing law relating to public records and their retention, protection, disposal or reproduction.

The Senate resumed consideration of Senate Bill No. 2078 and the pending amendment by Senator Day and the amendment to the amendment by Senator Mardesich which had been under consideration by the Senate on Wednesday, January 24, 1973.

#### MOTION

There being no objection, on motion of Senator Day, the amendment to the amendment by Senator Mardesich and the amendment by Senator Day were withdrawn.

Senator Day moved adoption of the following amendment:

On page 6, following line 11, add a new section as follows:

“Sec. 6. Section 3, chapter 32, Laws of 1967 and RCW 46.01.250 are each amended to read as follows:

The director, *as specifically authorized and directed herein*, shall have the power and it shall be his duty upon request and payment of the fee as provided herein to furnish under seal of the director certified copies of any records of the department, *including lists of individuals requested, for commercial and other lawful purposes*, except those for confidential use only: *PROVIDED, HOWEVER, That any individual may request of the director that his name shall be omitted from such lists and the director shall honor the request of such individual.* The director shall charge and collect therefor the actual cost to the department. Any funds accruing to the director of motor vehicles under this section shall be certified and sent to the state treasurer and by him deposited to the credit of the highway safety fund.”

Renumber the following section.

Senator Guess moved adoption of the following amendment to the amendment by Senator Day:

On line 10 of the Day amendment, after “*individual*” and before the period insert “: *PROVIDED, FURTHER, That the director shall cause to be imprinted upon each motor vehicle registration application and on each driver’s license application a blank space in which each applicant may signify his desire as to whether or not his name shall be on such list to be sold*”

#### POINT OF INQUIRY

Senator Rasmussen: “Would Senator Guess yield to a question? Senator Guess, your amendment only relates to driver’s licenses and motor vehicle licenses. The original amendment relates that the lists in the Department of Motor Vehicles they also have all of

the professional licensing. And this would include many, many different lists of professional people that would not come under particularly the driver's licensing."

Senator Guess: "Senator Rasmussen, I will have to admit that I was not aware that that was going to be as broad as that. Therefore I would like the opportunity to revise my amendment and if possible maybe we could get this bill set over until Monday and have an opportunity to get the Department of Motor Vehicles over here to help me draft the amendment."

#### MOTION

Senator Guess moved that Senate Bill No. 2078 and the pending amendments be held for further consideration on Monday, January 29, 1973.

#### POINT OF ORDER

Senator Day: "I would suggest that the motion is out of order at this stage of Senator Guess's discussion. I would like to point out that just the opposite of his argument is entirely true relative to this because the reason for the need for this list, as I pointed out the other day, is that after three years through the efforts of Mr. Nader and others, it is needed to recall some vehicles. If someone has purchased a vehicle and then the next year he purchased a different one and traded that one off, his name could be removed from the list at a time when it would be in his interest or in the interest of someone to have their name on that list relative to that particular vehicle and the need for its modification as to safety. Now in deference to the arguments of Senator Guess, I feel that we should give this thing a whirl and we should defeat the amendment to the amendment and pass this amendment and get this bill on its way and then next year, we are surely going to be back here and with continuing legislature, and if this proves to be an actual problem relative to these lists, I will join with you, Senator Guess, in modifying it again."

#### RULING BY THE PRESIDENT

The President: "The point of order raised by Senator Day in regard to Senator Guess's motion to hold the measure over is well taken."

#### POINT OF INQUIRY

Senator Francis: "Will Senator Day yield to a question? Senator Day, the amendment that you have does not require the director to take the name off the list for state purposes but only to omit it for purposes of distribution to commercial purchasers of lists. And the name would still be on the list for other purposes other than commercial purposes, is that correct?"

Senator Day: "Yes, it is the intent of this that the removal of the name would only occur if the list were sold for some commercial or business purpose."

#### MOTIONS

On motion of Senator Guess, Senate Bill No. 2078 and the pending amendment by Senator Day and the amendment to the amendment by Senator Guess were ordered placed at the end of today's second reading calendar for further consideration.

On motion of Senator Grant, Senate Joint Resolution No. 103 was ordered to hold its place on the second reading calendar for Monday, January 29, 1973.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

##### MOTION

On motion of Senator Walgren, the appointment of A. H. "IKE" PARKER as a member of the Washington State Highway Commission was confirmed.

## APPOINTMENT OF A. H. "IKE" PARKER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Sellar—1.

Excused: Senators Bottiger, Scott, Washington—3.

## SECOND READING

SENATE BILL NO. 2038, by Senators Whetzel, Murray and Gardner (by Legislative Council request):

Revising the tax exemption for nature conservancy lands.

The bill was read the second time by sections.

On motion of Senator Whetzel, the rules were suspended, Senate Bill No. 2038 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Whetzel yield to a question? Senator Whetzel, is there any limit to the size of this property that can be relieved of taxes?"

Senator Whetzel: "No."

Senator Rasmussen: "Would it be possible for a timber company to put a certain area of land under this provision tax free for the study of animal and plant life?"

Senator Whetzel: "No."

Senator Rasmussen: "Why not?"

Senator Whetzel: "Because the property has to be held by a nonprofit corporation or association, the primary purpose of which is the conducting or facilitating of scientific research or the conserving of natural resources for the general public, and if you had a timber company that met that I would be very surprised."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2038 and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—46.

Excused: Senators Bottiger, Scott, Washington—3.

SENATE BILL NO. 2038, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2078, by Senators Durkan, Atwood, Newschwander and Gardner (by Legislative Budget Committee request):

Implementing law relating to public records and their retention, protection, disposal or reproduction.

The Senate resumed consideration of Senate Bill No. 2078, the pending amendment by Senator Day and the amendment to the amendment by Senator Guess.

There being no objection, the amendment by Senator Guess to the amendment by Senator Day was withdrawn.

Senator Guess moved adoption of the following amendment to the amendment by Senator Day:

On line 10 of the Day amendment, after "*individual*" and before the period insert "*PROVIDED, FURTHER, That the director shall cause to be imprinted upon all application forms a space in which each applicant may signify his desire as to whether or not his name shall be on any list to be sold by the director*"

Debate ensued.

Senator Greive moved that the amendment by Senator Guess to the amendment by Senator Day be laid upon the table.

Senator Guess demanded a roll call and the demand was sustained by Senators Connor, Ridder, Rasmussen, Wanamaker, Woodall, Grant, Lewis (Bob), Lewis (Harry) and Metcalf.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Guess to the amendment by Senator Day was laid upon the table by the following vote: Yeas, 31; nays, 14; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Van Hollebeke, Walgren, Woody—31.

Voting nay: Senators Guess, Lewis (Harry), Metcalf, Murray, Odegaard, Rasmussen, Sellar, Stender, Stortini, Talley, Twigg, Wanamaker, Whetzel, Woodall—14.

Absent or not voting: Senator Henry—1.

Excused: Senators Bottiger, Scott, Washington—3.

The President declared the question before the Senate to be the adoption of the amendment by Senator Day.

The motion by Senator Day carried and the amendment was adopted.

On motion of Senator Day, the following amendment to the title was adopted:

On page 1, line 8 of the title, after "RCW 40.14.070" and before the period insert "and amending section 46.08.110, chapter 12, Laws of 1961 as amended by section 3, chapter 32, Laws of 1967 and RCW 46.01.025"

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 2078 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Whetzel: "A question for Senator Day. Senator Day, I am looking at your amendment and want to clarify one part there that may not be clear. It says 'the director shall charge and collect therefor the actual cost of the department.' Am I correct in assuming that therefor refers to the cost of the lists of individuals requested for commercial and other lawful purposes and does not refer to the request of an individual that his name be omitted from the list, which the director must honor?"

Senator Day: "Yes, that is correct, and you will note that that particular language you are questioning is already in the statute."

Senator Whetzel: "Thank you."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2078

and the bill passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—38.

Voting nay: Senators Clarke, Durkan, Guess, Jones, Metcalf, Rasmussen, Sellar—7.

Absent or not voting: Senator Henry—1.

Excused: Senators Bottiger, Scott, Washington—3.

ENGROSSED SENATE BILL NO. 2078, having received the 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 Senator Francis, the Judiciary Committee was relieved of further consideration of Senate Bill No. 2004.

On motion of Senator Francis, Senate Bill No. 2004 was referred to the Committee on State Government.

#### MOTION

At 12.20 p.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, January 29, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SECOND DAY

### NOON SESSION

Senate Chamber, Olympia, Wash., Monday, January 29, 1973.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan and Stender. On motion of Senator Scott, Senator Stender was excused. There being no objection, Senators Dore and Durkan were excused.

The Color Guard, consisting of Pages Michael Blanchard and Linda Aldridge, presented the Colors. Reverend Robert M. Keller, pastor of The Lutheran Church of The Good Shepherd of Olympia, offered the following prayer:

“ALMIGHTY FATHER, ON THIS MONDAY MORNING AS WE BUSY OURSELVES ABOUT OUR APPOINTED TASKS, MAY WE ACKNOWLEDGE YOUR PRESENCE. MAY WE STRIVE, THIS DAY, TO MAKE THE WORLD YOU HAVE INTRUSTED TO US BETTER. AND MAY WE KNOW YOUR PEACE IN OUR LIFE. WE PRAY THIS IN THE NAME OF JESUS. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

January 26, 1973.

SENATE BILL NO. 2039, requiring ramps on curbs for physically handicapped (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Murray, Sellar, Talley, Walgren, Whetzel.

Passed to Committee on Rules for second reading.

January 26, 1973.

SENATE BILL NO. 2042, providing for allowances of attorney's fees as costs in certain actions (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Dore, Durkan, Woodall.

Passed to Committee on Rules for second reading.

January 25, 1973.

SENATE BILL NO. 2111, implementing law relating to credit unions (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Newschwander, Walgren.

Passed to Committee on Rules for second reading.

January 25, 1973.

SENATE BILL NO. 2246, requiring slow moving vehicles to turn off roadways under certain conditions (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

January 26, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 18,

HOUSE BILL NO. 41,

HOUSE BILL NO. 47,

ENGROSSED HOUSE BILL NO. 98,

ENGROSSED HOUSE BILL NO. 117,

HOUSE BILL NO. 119,

ENGROSSED HOUSE BILL NO. 130, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

January 29, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 14, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 14.

MOTION

At 12:05 p.m., on motion of Senator Bailey, the Senate recessed until 12:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 12:30 p.m.

PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, the President should like to exercise the privilege, with the consent of the Senate, to present two outstanding and distinguished visitors who are the guests of Senator Frank Connor. The President at this time should like to ask Mr. William Marx, the famous football coach at the University of Washington, and Mr. Edmund Vervynck to please stand in order that the members of the Senate may properly recognize and welcome you. Thank you very much."

## MOTION

Senator Mardesich moved that all bills be referred to committee as indicated on the Senate Short Title and Referral Sheet with the exception of Senate Bill No. 2370 which would be referred to the Committee on Constitution and Elections.

## POINT OF INQUIRY

Senator Atwood: "Would Senator Mardesich yield? The other day a point was made by Senator Greive that we might have constitutional difficulties. Have you resolved that now, that by this method still qualifies as a first reading and reference of bills?"

Senator Mardesich: "This action has been taken in the House, I think all of last session, and we have thought that we might do it here in the interest of saving time. If there were a constitutional question I think the court would not look behind the record. The record would show that these bills have been referred individually."

## REMARKS BY SENATOR GREIVE

Senator Greive: "I am going to object and for this reason. It is already publicly on the record and it would seem to me that the courts would know for at least this session it was done. I would suggest if we are going to do it next session that the discussion be had between the caucuses and that we just start doing it, because it would be very, very obvious now. This is all recorded. The record would be there and somebody is certain not to like the bill and try to knock it out."

Senator Mardesich: "The objection having been made again, I will have to withdraw my motion at this time."

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2365, by Senators Durkan, Woodall, Ridder, Connor and Knoblauch (by Lt. Governor request):

An Act relating to the public health, safety and welfare; creating a new chapter in Title 70 RCW; prescribing an effective date; and providing for the expiration of this act.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2366, by Senator Grant:

An Act relating to legislative redistricting.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2367, by Senator Rasmussen:

An Act relating to state government; amending section 28B.50.160, chapter 223, Laws of 1969 ex. sess. as amended by section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160; amending section 28B.50.220, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; amending section 28A.10.010, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 18, Laws of 1970 ex. sess. and RCW 28A.10.010; amending section 28A.10.037, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.037; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 15, Laws of 1972 ex. sess. and RCW 28A.10.080; amending section 6, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.060; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; creating new sections; and repealing sections 40, 42, and 43, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.300, 43.20.310 and 43.20.320.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2368, by Senator Whetzel:

An Act relating to real property; providing for the adoption of the uniform residential landlord and tenant act; and prescribing an effective date.

Referred to Judiciary Committee.



SENATE BILL NO. 2369, by Senators Henry, Stortini, Donohue and Wanamaker:

An Act relating to motor vehicle speeds; and amending section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2370, by Senators Durkan, Ridder, Grant and Rasmussen:

An Act relating to the construction of statutes conferring administrative rule making power; and adding a new section to chapter 1.12 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2371, by Senator Rasmussen:

An Act relating to revenue and taxation; amending section 5, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.380; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020; and establishing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2372, by Senator Grant:

An Act relating to building maintenance contractors; and adding a new section to chapter 18.27 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2373, by Senators Walgren, Donohue and Herr:

An Act relating to taxes imposed on tobacco products; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 77, chapter 299, Laws of 1971 ex. sess. and RCW 82.26.020; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2374, by Senators Gardner, Murray and Peterson (Ted):

An Act relating to certain public lands; and amending section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470.

Referred to Committee on Parks and Recreation.

SENATE BILL NO. 2375, by Senators Walgren, Donohue and Herr:

An Act relating to taxes imposed upon cigarettes; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.020; 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; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2376, by Senators Canfield and Ridder:

An Act relating to public employment; and amending section 20, chapter 274, Laws of 1947 as last amended by section 6, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.190.

Referred to Committee on State Government.

SENATE BILL NO. 2377, by Senators Grant and Stortini (by Secretary of State request):

An Act relating to United States congressional elections; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.68.080, chapter 9, Laws of 1965 and RCW 29.68.080; amending section 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.090; amending section 29.68.100, chapter 9, Laws of 1965 and RCW 29.68.100; amending section 29.68.110, chapter 9, Laws of 1965 and RCW 29.68.110; and amending section 29.68.120, chapter 9, Laws of 1965 and RCW 29.68.120.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2378, by Senators Walgren, Guess and Stortini (by Department of Highways request):

An Act relating to the sale of public property; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 4, chapter 257, Laws of 1961 and RCW 47.56.255; amending section 47.60.130, chapter 13, Laws of 1961 and RCW 47.60.130; adding new sections to chapter 47.12 RCW; repealing section 47.12.090, chapter 13, Laws of 1961 and RCW 47.12.090; repealing section 47.12.100, chapter 13, Laws of 1961 and RCW 47.12.100; repealing section 47.12.105, chapter 13, Laws of 1961 and RCW 47.12.105; and repealing section 47.12.110, chapter 13, Laws of 1961 and RCW 47.12.110.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2379, by Senators Walgren, Sellar and Sandison:

An Act relating to the practice of medicine; amending section 2, chapter 60, Laws of 1957 as last amended by section 1, chapter 284, Laws of 1961 and RCW 18.71.010; amending section 2, chapter 284, Laws of 1961 and RCW 18.71.015; amending section 14, chapter 192, Laws of 1909 as last amended by section 1, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.020; amending section 10, chapter 284, Laws of 1961 and RCW 18.71.025; amending section 19, chapter 192, Laws of 1909 as last amended by section 4, chapter 284, Laws of 1961 and RCW 18.71.030; amending section 35, chapter 202, Laws of 1955 and RCW 18.71.040; amending section 3, chapter 60, Laws of 1957 as amended by section 5, chapter 284, Laws of 1961 and RCW 18.71.050; amending section 4, chapter 60, Laws of 1957 as amended by section 6, chapter 284, Laws of 1961 and RCW 18.71.055; amending section 8, chapter 192, Laws of 1909 as amended by section 7, chapter 284, Laws of 1961 and RCW 18.71.060; amending section 6, chapter 192, Laws of 1909 as last amended by section 8, chapter 284, Laws of 1961 and RCW 18.71.070; amending section 36, chapter 202, Laws of 1955 as amended by section 12, chapter 266, Laws of 1971 ex. sess. and RCW 18.71.080; amending section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090; amending section 1, chapter 189, Laws of 1959 as last amended by section 1, chapter 138, Laws of 1967 and RCW 18.71.095; amending section 44, chapter 202, Laws of 1955 and RCW 18.71.180; adding new sections to chapter 18.71 RCW; repealing section 2, chapter 189, Laws of 1959, section 1, chapter 65, Laws of 1963, section 2, chapter 29, Laws of 1965, section 2, chapter 138, Laws of 1967 and RCW 18.71.096; repealing section 38, chapter 202, Laws of 1955, section 12, chapter 284, Laws of 1961 and RCW 18.71.120; repealing section 40, chapter 202, Laws of 1955 and RCW 18.71.140; and repealing section 21, chapter 192, Laws of 1909 and RCW 18.71.900.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2380, by Senators Day, Twigg and Francis:

An Act relating to interlocal cooperation; and amending section 3, chapter 239, Laws of 1967 as last amended by section 1, chapter 33, Laws of 1971 and RCW 39.34.020.

Referred to Committee on Social and Health Services.

#### MOTIONS

On motion of Senator Day, the Committee on Social and Health Services was relieved of further consideration of Senate Bill No. 2380.

On motion of Senator Day, Senate Bill No. 2380 was referred to the Committee on Ecology.

SENATE BILL NO. 2381, by Senator Woody (by Washington Judicial Retirement System request):

An Act relating to the judicial retirement system; and amending section 22, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.220.

Referred to Judiciary Committee.

SENATE BILL NO. 2382, by Senator Woody (by Washington Judicial Retirement Board request):

An Act relating to the Washington judicial retirement system; repealing section 15, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.150; repealing section 16, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.160; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2383, by Senators Day, Murray and Peterson (Ted):

An Act relating to revenue and taxation; and amending section 84.56.180, chapter 15, Laws of 1961 as amended by section 5, chapter 124, Laws of 1969 ex. sess. and RCW 84.56.180.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2384, by Senators Gardner, Canfield, Henry, Bottiger, Ridder, Marsh, Metcalf and Newschwander (by Superintendent of Public Instruction request):

An Act relating to education; amending section 4, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.120; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.09 RCW; declaring an emergency and making an effective date.

Referred to Committee on Education.

SENATE BILL NO. 2385, by Senators Durkan, Peterson (Ted) and Bailey (by Washington State Teachers' Retirement System request):

An Act relating to the Washington state teachers' retirement system; amending section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010; amending section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 271, Laws of 1971 ex. sess. and RCW 41.32.260; amending section 31, chapter 80, Laws of 1947 as last amended by section 9, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.310; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 3, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.497; amending section 52, chapter 80, Laws of 1947 as last amended by section 7, chapter 50, Laws of 1967 and RCW 41.32.520; amending section 20, chapter 14, Laws of 1963 ex. sess. as last amended by section 18, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.522; amending section 21, chapter 14, Laws of 1963 ex. sess. as last amended by section 19, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.523; amending section 53, chapter 80, Laws of 1947 as amended by section 26, chapter 274, Laws of 1955 and RCW 41.32.530; amending section 54, chapter 80, Laws of 1947 as last amended by section 18, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.540; amending section 55, chapter 80, Laws of 1947 as last amended by section 4, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.550; adding new sections to chapter 41.32 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2386, by Senators Stender, Guess, Grant, Lewis (Harry), Sellar, Connor, Jones and Atwood (by Executive request):

An Act relating to safe and healthful working conditions for men and women; providing for the regulation of work places subject to the legislative jurisdiction of the state of Washington; providing powers and duties; creating a new chapter in Title 49 RCW; repealing section 2, chapter 70, Laws of 1957 and RCW 49.16.010; repealing section 1, chapter 130, Laws of 1919 and RCW 49.16.020; repealing section 4, chapter 130, Laws of 1919 and RCW 49.16.030; repealing section 5, chapter 130, Laws of 1919 and RCW 49.16.040; repealing section 8, chapter 130, Laws of 1919 and RCW 49.16.050; repealing section 20, chapter 130, Laws of 1919 and RCW 49.16.060; repealing section 21, chapter 130, Laws of 1919 and RCW 49.16.070; repealing section 23, chapter 130, Laws of 1919 and RCW 49.16.080; repealing section 25, chapter 130, Laws of 1919, section 12, chapter 136, Laws of 1923 and RCW 49.16.090; repealing section 26, chapter 130, Laws of 1919 and RCW 49.16.100; repealing section 37, chapter 130, Laws of 1919 and RCW 49.16.110; repealing section 50, chapter 130, Laws of 1919, section 13, chapter 136, Laws of 1923 and RCW 49.16.120; repealing section 67, chapter 130, Laws of 1919 and RCW 49.16.130; repealing section 73, chapter 130, Laws of 1919 and RCW 49.16.150; repealing section 13, chapter 182, Laws of 1921, section 14, chapter 136, Laws of 1923, section 1, chapter 186, Laws of 1943 and RCW 49.16.151; repealing section 30, chapter 74, Laws of 1911 and

RCW 49.16.160; repealing section 1, chapter 84, Laws of 1905, section 1, chapter 205, Laws of 1907, section 1, chapter 17, Laws of 1943, section 1, chapter 98, Laws of 1959 and RCW 49.20.010; repealing section 2, chapter 84, Laws of 1905, section 2, chapter 98, Laws of 1959, section 1, chapter 62, Laws of 1963 and RCW 49.20.020; repealing section 3, chapter 84, Laws of 1905 and RCW 49.20.030; repealing section 4, chapter 84, Laws of 1905, section 2, chapter 205, Laws of 1907, section 3, chapter 98, Laws of 1959 and RCW 49.20.040; repealing section 5, chapter 84, Laws of 1905, section 3, chapter 205, Laws of 1907, section 4, chapter 98, Laws of 1959 and RCW 49.20.050; repealing section 6, chapter 84, Laws of 1905, section 5, chapter 98, Laws of 1959 and RCW 49.20.060; repealing section 11, chapter 84, Laws of 1905, section 5, chapter 205, Laws of 1907, section 6, chapter 98, Laws of 1959 and RCW 49.20.110; creating new sections; providing penalties and procedures for enforcement, review, and appeal; and defining crimes.

Referred to Committee on Labor.

SENATE BILL NO. 2387, by Senators Bailey, Lewis (Harry), Rasmussen, Peterson (Lowell), Newschwander, Walgren and Durkan (by Public Employees' Retirement Board request):

An Act relating to the public employees' retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.010; amending section 3, chapter 274, Laws of 1947 as last amended by section 3, chapter 271, Laws of 1971 ex. sess. and RCW 41.40.030; amending section 11, chapter 274, Laws of 1947 as last amended by section 2, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.100; amending section 13, chapter 274, Laws of 1947 as last amended by section 4, chapter 271, Laws of 1971 ex. sess. and RCW 41.40.120; amending section 1, chapter 274, Laws of 1947 as amended by section 8, chapter 240, Laws of 1949 and RCW 41.40.130; amending section 16, chapter 274, Laws of 1947 as last amended by section 6, chapter 128, Laws of 1969 and RCW 41.40.150; amending section 19, chapter 274, Laws of 1947 as last amended by section 4, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.180; amending section 5, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.185; amending section 20, chapter 274, Laws of 1947 as last amended by section 6, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.190; amending section 7, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.193; amending section 1, chapter 68, Laws of 1970 ex. sess. as amended by section 6, chapter 271, Laws of 1971 ex. sess. and RCW 41.40.195; amending section 34, chapter 274, Laws of 1947 as last amended by section 13, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.330; amending section 4, chapter 231, Laws of 1957 as last amended by section 14, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.361; adding a new section to chapter 41.40 RCW; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2388, by Senator Walgren:

An Act relating to petitions and resolutions for annexation; amending section 35.13.050, chapter 7, Laws of 1965 and RCW 35.13.050; and amending section 35A.14.230, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.230.

Referred to Committee on Local Government.

SENATE BILL NO. 2389, by Senators Durkan, Wanamaker, Jones and Fleming:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2390, by Senator Talley:

An Act relating to shellfish; and adding a new section to chapter 75.28 RCW.

Referred to Committee on Natural Resources.

SENATE JOINT MEMORIAL NO. 107, by Senators Stortini, Rasmussen, Newschwander, Knoblauch and Walgren:

Requesting the Congress to make the proposed Tacoma Spur a part of the National System of Interstate Highways.

Referred to Committee on Transportation and Utilities.

SENATE JOINT MEMORIAL NO. 108, by Senator Grant:

Petitioning Congress to propose an amendment to the Constitution to provide for the direct popular nomination and election of president and vice president.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 112, by Senator Rasmussen:

Providing for a corporate income tax.

Referred to Committee on Ways and Means.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2365, 2369, 2370, 2384, 2386 and 2387; also Senate Joint Memorial No. 107.

ENGROSSED HOUSE BILL NO. 18, by Representatives O'Brien and Barden (by State Treasurer request):

Authorizing the state treasurer to appoint such deputies as he deems necessary.

Referred to Committee on State Government.

HOUSE BILL NO. 41, by Representative Hayner:

Providing notice requirements for voting shares of missing shareholders.

Referred to Judiciary Committee.

HOUSE BILL NO. 47, by Representatives Eikenberry and Knowles:

Extending age limit for filial support payments.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 98, by Representative Savage:

Requiring the director of the department of labor and industries to notify the county prosecutor of suspected violations.

Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 117, by Representatives Bauer and Hoggins (by Joint Committee on Education request):

Implementing law relating to school holidays and programs suitable thereto.

Referred to Committee on Education.

HOUSE BILL NO. 119, by Representatives Flanagan, Moon, Bagnariol, Williams, Randall, Erickson, Hoggins and Van Dyk (by Permanent Property Tax Committee request):

Making the assessor's comparable sales data available to individuals protesting their property valuation.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 130, by Representatives Kalich and Smythe:

Allowing revision of county budgets upon receipt of unanticipated funds.

Referred to Committee on Local Government.

## SECOND READING

SENATE JOINT RESOLUTION NO. 103, by Senators Lewis (Harry), Durkan, Metcalf, Rasmussen, Ridder, Bottiger, Odegaard, Twigg, Guess and Woodall:

Providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill.

## REPORT OF STANDING COMMITTEE

January 19, 1973.

SENATE JOINT RESOLUTION NO. 103, providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 25, after "within" and before "days" strike "ten" and insert "[ten] twenty"

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendment was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed Senate Joint Resolution No. 103 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 103 and the resolution passed the Senate by the following vote: Yeas, 36; nays, 10; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—36.

Voting nay: Senators Clarke, Jones, Matson, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Wanamaker, Whetzel—10.

Excused: Senators Dore, Durkan, Stender—3.

ENGROSSED SENATE JOINT RESOLUTION NO. 103, having received the constitutional two-thirds majority, was declared passed.

## MOTIONS.

On motion of Senator Woodall, Engrossed Senate Joint Resolution No. 103 was ordered immediately transmitted to the House.

At 1:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, January 30, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-THIRD DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Tuesday, January 30, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Woody. On motion of Senator Keefe, Senator Woody was excused.

The Color Guard, consisting of Pages Jeff Westlund and Darcie Eder, presented the Colors. Reverend Robert M. Keller, pastor of The Lutheran Church of the Good Shepherd of Olympia, offered the following prayer:

“ALMIGHTY FATHER, WHERE YOUR PRESENCE IS ACKNOWLEDGED THERE THE ACTS AND AFFAIRS OF MEN TAKE ON NEW DIMENSION. THERE PERSONS AND THEIR NEEDS ARE OF ULTIMATE IMPORTANCE AND HAVE PRIORITY OVER PROGRAMS AND THINGS.

HELP EACH OF US TO BE SENSITIVE TO THE FACT THAT IT IS YOUR INTENTION FOR US TO USE THE THINGS YOU HAVE GIVEN US IN SUCH A WAY THAT WE SHOW LOVE AND CONCERN FOR EACH OTHER. AMEN.”

**MOTIONS**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

At 9:35 a.m., on motion of Senator Bailey, the Senate recessed until 10:15 a.m.

**SECOND MORNING SESSION**

The President called the Senate to order at 10:15 a.m.

**INTRODUCTION AND FIRST READING**

SENATE BILL NO. 2391, by Senators Ridder, Stortini and Murray:

An Act relating to education; reenacting section 28A.31.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 32, Laws of 1971 and by section 12, chapter 48, Laws of 1971 and RCW 28A.31.050; reenacting section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 105, Laws of 1972 ex. sess. and by section 1, chapter 124, Laws of 1972 ex. sess. and RCW 28A.41.130; repealing section 28A.88.070, chapter 223, Laws of 1969 ex. sess., section 53, chapter 48, Laws of 1971 and RCW 28A.88.070; creating new sections; making certain effective dates; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 2392, by Senators Gardner, Murray, Ridder and Wanamaker:

An Act relating to intermediate school districts; amending section 3, chapter 176, Laws

of 1969 ex. sess. as amended by section 3, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.030; adding new sections to chapter 28A.21 RCW to be codified as RCW 28A.21.0301 through 28A.21.0306; amending section 4, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.035; amending section 15, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.095; amending section 10, chapter 176, Laws of 1969 ex. sess. as amended by section 16, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.100; amending section 19, chapter 34, Laws of 1969 ex. sess. as amended by section 6, chapter 48, Laws of 1971 and RCW 28A.21.105; amending section 20, chapter 34, Laws of 1969 ex. sess. as amended by section 7, chapter 48, Laws of 1971 and RCW 28A.21.106; amending section 11, chapter 176, Laws of 1969 ex. sess. as last amended by section 1, chapter 3, Laws of 1972 1st ex. sess. and RCW 28A.21.110; adding new sections to chapter 28A.21 RCW to be codified as RCW 28A.21.111 through 28A.21.113; amending section 12, chapter 176, Laws of 1969 ex. sess. as amended by section 18, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.120; amending section 18, chapter 176, Laws of 1969 ex. sess. as amended by section 24, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.180; creating new sections; repealing section 43, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.145; repealing section 25, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.185; and repealing section 20, chapter 176, Laws of 1969 ex. sess.; section 27, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.190.

Referred to Committee on Education.

SENATE BILL NO. 2393, by Senator Francis and Wanamaker (by Governor's Task Force on Aging request):

An Act relating to the registration of contractors; amending section 2, chapter 77, Laws of 1963 and RCW 18.27.020; amending section 4, chapter 77, Laws of 1963 as last amended by section 2, chapter 118, Laws of 1972 ex. sess. and RCW 18.27.040; amending section 6, chapter 77, Laws of 1963 and RCW 18.27.060; amending section 10, chapter 77, Laws of 1963 and RCW 18.27.100; adding new sections to chapter 18.27 RCW: defining crimes; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2394, by Senators Gardner, Murray and Bottiger (by Superintendent of Public Instruction request):

An Act relating to state aid for school plant facilities; and amending section 4, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.803.

Referred to Committee on Education.

SENATE BILL NO. 2395, by Senators Atwood and Woody:

An Act relating to the age of eighteen; amending section 8, chapter 172, Laws of 1935 and RCW 9.41.080; amending section 6, chapter 302, Laws of 1961 as amended by section 1, chapter 137, Laws of 1967 and RCW 13.04.095; amending section 1, chapter 93, Laws of 1967 and RCW 13.04.250; amending section 10, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.230; amending section 7, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.070; amending sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.030; 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 29.39.120, chapter 9, Laws of 1965 as amended by section 2, chapter 178, Laws of 1971 ex. sess. and RCW 29.39.120; amending section 15, chapter 107, Laws of 1969 as amended by section 1, chapter 42, Laws of 1972 ex. sess. and RCW 33.24.290; amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530; amending section 10, chapter 167, Laws of 1967 as last amended by section 45, chapter 292, Laws of 1971 ex. sess. and RCW 46.20.293; amending section .32.07, chapter 79, Laws of 1947 as last amended by section 25, chapter 303, Laws of 1955 and RCW 48.36.070; amending section 19, chapter 35, Laws



of 1945 as last amended by section 6, chapter 265, Laws of 1951 and RCW 50.04.180; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 36-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 2, chapter 111, Laws of 1931 as last amended by section 6, chapter 88, Laws of 1972 ex. sess. and RCW 70.74.020; amending section 72.04.040, chapter 28, Laws of 1959 as amended by section 1, chapter 39, Laws of 1969 and RCW 72.40.040; amending section 72.40.060, chapter 28, Laws of 1959 as amended by section 97, chapter 176, Laws of 1969 ex. sess. and RCW 72.40.060; amending section 4, chapter 63, Laws of 1971 ex. sess. and RCW 74.13.109; amending section 2, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.020; creating new sections; repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315; and repealing section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340.

Referred to Judiciary Committee.

SENATE BILL NO. 2396, by Senators Bottiger, Newschwander and Lewis (Harry):

An Act relating to fire protection districts; and amending section 1, chapter 139, Laws of 1941 and RCW 52.36.020.

Referred to Committee on Local Government.

SENATE BILL NO. 2397, by Senators Fleming, Murray and Gardner.

An Act relating to prison reform; and adding a new chapter to Title 72 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2398, by Senators Wanamaker, Washington, Sellar, Lewis (Bob) and Matson:

An Act relating to motor vehicles; and amending section 1, chapter 1, Laws of 1969 and RCW 46.20.308.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2399, by Senators Francis, Woody and Woodall:

An Act relating to eminent domain; and amending section 3, chapter 137, Laws of 1967 ex. sess. as amended by section 3, chapter 39, Laws of 1971 ex. sess. and RCW 8.25.070.

Referred to Judiciary Committee.

SENATE BILL NO. 2400, by Senators Francis and Woody (by Secretary of State request):

An Act relating to corporations; and amending section 8, chapter 218, Laws of 1937 and RCW 19.24.100.

Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bills: 2391, 2392 and 2398.

There being no objection, Senators Lewis (Harry) and Mardesich were excused.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Arnie Weinmeister and appointed a special committee consisting of Senators Bailey, Connor,

Durkan, Stender, Matson and Canfield to escort Mr. Weinmeister to a place of honor upon the rostrum.

#### PRESIDENT'S PRIVILEGE

The President: "Gentlemen of the Senate, ladies and gentlemen, it is a great pleasure and privilege for the President to present a long-time friend, Mr. Arnie Weinmeister, who was recently to become a member of the General Executive Board of the International Brotherhood of Teamsters. Arnie's rise in the Teamsters official family has been similar to that of a successful moon shot, inasmuch as he has risen so fast and has been such a great success. It may be of interest to many of us present that Arnie is the first Vice President from the Pacific Northwest to serve on the powerful General Executive Board of the Teamsters, in fact the first since 1958. It is a huge territory which includes the state of Washington, northern Idaho, Oregon and Alaska. And Arnie represents over one hundred thousand Teamsters.

"He is a native of Canada but chose to live in Portland but then realized that the wonderful athletic program of the University of Washington was inviting so decided to play football for Jimmie Phelan in the early forties but then he answered the call to serve in World War II with real distinction. Following the war, Arnie returned to the University of Washington to play for a mutual good friend, Ralph 'Pest' Welch. And incidentally yours truly was supposed to be the backfield coach in those days and Arnie really made me look pretty good. Following a very successful career at the University, Arnie was drafted by the New York Yankees, a member of the old American League, and after great success there but after the League folded Arnie became an all star professional tackle for the New York Giants. He had very successful seasons there. I think it was five times all told, isn't that right, consecutive, Arnie? And after that he thought he would return to the Pacific Northwest but was not quite ready to give up football and decided to have a whirl with the British Columbia Lions which he did with great success.

"But then he found his true calling in the labor movement and became very active in that particular movement after declining very wisely to serve with me as a football coach at the University of Washington. This had a very integral part in Arnie's later success but I will not go into that. But at any rate, ladies and gentlemen, it certainly is with pride and pleasure that I at this time present to you Arnie Weinmeister, a great guy. Arnie."

#### REMARKS BY ARNIE WEINMEISTER

Mr. Weinmeister: "Thank you very much, Mr. President, honorable members of the Senate, ladies and gentlemen and boys and girls. I must say that it is a real privilege to be asked here today. I would like to use this opportunity if I may, to personally thank you for the resolution that you passed on my behalf.

"It is very nice to be recognized by one's organization and our headquarters are in Washington, D.C., a long ways from home. It is really more significant to be recognized here at home. I want you to know that I sincerely appreciate it. It is the signal honor for me in my own position but it is also, in my opinion, a signal honor for the territory which I represent. I am on the General Executive Board which will enable me to do many things on behalf of our community interests which are mutual, and I want to thank the President, my good friend John Cherberg, for that nice introduction. I do not believe I have ever had a nicer one than that but we have been personal friends for a long time and he read it just exactly as I had presented it to him. So I want to sincerely thank you for the privilege of being asked here today and I really do thank you for the resolution that you sent on my behalf. Thank you."

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Arnie. You have earned your position in our community but the members of the Senate and I wanted to present you with this distinguished citizen award just as something concrete and as evidence, presented in

recognition and appreciation of your outstanding citizenship and remarkable and enduring contribution of the well being of your fellow citizens. Congratulations and continued success.”

The special committee escorted the honored guest from the rostrum.

CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Atwood, the appointment of DR. RONALD A. WORKMAN as a member of the Washington State Aeronautics Commission was confirmed.

APPOINTMENT OF DR. RONALD A. WORKMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—46

Excused: Senators Lewis (Harry), Mardesich, Woody—3.

MOTION

On motion of Senator Greive, the appointment of DR. GEORGE WILLIAM KOSS as a member of the Washington State Aeronautics Commission was confirmed.

APPOINTMENT OF DR. GEORGE WILLIAM KOSS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Seller, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—46.

Excused: Senators Lewis (Harry), Mardesich, Woody—3.

MOTION

On motion of Senator Greive, the appointment of MERLE D. ADLUM as a member of the Canal Commission was confirmed.

APPOINTMENT OF MERLE D. ADLUM

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—46.

Excused: Senators Lewis (Harry), Mardesich, Woody—3.

## MOTION

On motion of Senator Bailey, Senate Bill No. 2019 was re-referred to the Committee on Rules.

## SECOND READING

SENATE BILL NO. 2100, by Senators Gardner, Fleming and Murray (by Joint Committee on Education request):

Correcting code error in methods upon increasing number of school directors in consolidated districts.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, Senate Bill No. 2100 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2100 and the bill passed the Senate by the following vote: Yeas, 46; excused 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—46.

Excused: Senators Lewis (Harry), Mardesich, Woody—3.

SENATE BILL NO. 2100, having received the 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. 2017, by Senators Bailey, Durkan, Peterson (Ted), Rasmussen and Washington (by State Treasurer request):

Making certain changes in the veterans bonus law.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 2017 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## MOTION

Senator Scott moved that Senate Bill No. 2017 be re-referred to the Committee on Ways and Means.

Debate ensued.

Senator Rasmussen moved that the motion by Senator Scott be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Henry, Peterson (Ted), Washington, Odegaard, Atwood, Fleming, Knoblauch, Sandison and Van Hollebeke.

## ROLL CALL

The Secretary called the roll and the motion by Senator Scott was laid upon the table by the following vote: Yeas, 25; nays, 21; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan,

Grant, Greive, Henry, Jolly, Keefe, Knoblauch, Marsh, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Talley, Van Hollebeke, Walgren, Washington—25.

Voting nay: Senators Atwood, Clarke, Fleming, Francis, Gardner, Guess, Herr, Jones, Lewis (Bob), Matson, Murray, Newschwander, Ridder, Scott, Sellar, Stender, Stortini, Twigg, Wanamaker, Whetzel, Woodall—21.

Excused: Senators Lewis (Harry), Mardesich, Woody—3.

#### POINT OF INFORMATION

Senator Fleming: "Mr. President, I was off the floor and I would like to find out, are we on third reading or second reading?"

#### REPLY BY THE PRESIDENT

The President: "Senate Bill 2017 is now on final passage, Senator Fleming."

#### MOTIONS

Senator Fleming moved that the rules be suspended and Senate Bill No. 2017 be returned to second reading.

At 11:00 a.m., on motion of Senator Bailey, the Senate adjourned until 9:30 a.m., Wednesday, January 31, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-FOURTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 31, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Matt Welborn and Michele Emerick, presented the Colors. Reverend Robert M. Keller, pastor of The Lutheran Church of The Good Shepherd of Olympia, offered the following prayer:

“LORD, KEEP THE PRESIDENT AND LEGISLATORS OF THIS NATION AND THE GOVERNOR AND LEGISLATORS OF THIS STATE MINDFUL OF THE EFFECT THEIR DECISIONS AND ACTIONS HAVE UPON THE LIVES OF PEOPLE. GRANT THEM THE WISDOM AND HONOR TO DO THEIR TASK WITH HONESTY AND FAITHFULNESS. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

January 30, 1973.

SENATE BILL NO. 2033, recounting of state ballot measures to be at state expense (reported by Committee on Constitution and Elections):

Recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE BILL NO. 2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180 day school year (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Odegaard, Peterson (Ted).  
Passed to Committee on Rules for second reading.

January 23, 1973.

SENATE BILL NO. 2106, adopting the supplemental budget (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2106 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Scott.

Passed to Committee on Rules for second reading.

January 25, 1973.

SENATE BILL NO. 2136, directing priority programming by the highway commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE BILL NO. 2191, providing changes in the manner and times for electing port commissioners (reported by Committee on Constitution and Elections):

Recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

January 25, 1973.

SENATE BILL NO. 2311, requiring transportation agencies to submit a recommended budget for the ensuing biennium to the governor and legislature (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE BILL NO. 2331, implementing law relating to joint school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

January 29, 1973.

SENATE JOINT MEMORIAL NO. 103, petitioning Congress to repeal the war powers act on the conclusion of the Vietnam conflict (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

January 29, 1973.

JACK D. MULLIN, to the position of member of the State Personnel Board, appointed by the Governor on March 16, 1972 for the term ending January 4, 1977, succeeding himself (reported by the Committee on State Government).

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules.

## MOTION

At 9:35 a.m., on motion of Senator Bailey, the Senate recessed until 10:05 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 10:05 a.m.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2401, by Senators Woody and Knoblauch:

An Act relating to state government; amending section 43.51.520, chapter 8, Laws of 1965 as amended by section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520; amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530; amending section 43.51.540, chapter 8, Laws of 1965 and RCW 43.51.540; amending section 43.51.570, chapter 8, Laws of 1965 and RCW 43.51.570; adding new sections to chapter 46.16 RCW; and repealing section 4, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.355.

Referred to Committee on Parks and Recreation.

SENATE BILL NO. 2402, by Senators Canfield, Jolly and Francis (by Joint Committee on Nuclear Energy request):

An Act relating to public utilities; and amending section 1, chapter 159, Laws of 1967 and RCW 54.44.010; amending section 2, chapter 159, Laws of 1967 and RCW 54.44.020; amending sections 3, 4, 5 and 6, chapter 159, Laws of 1967 and RCW 54.44.030, 54.44.040, 54.44.050 and 54.44.060; creating new sections; and declaring an emergency.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2403, by Senators Washington, Murray and Walgren (by executive request):

An Act relating to revenue and taxation; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; and declaring an emergency.

Referred to Committee on Ecology.

SENATE BILL NO. 2404, by Senators Gardner, Guess and Sandison (by Department of Employment Security request):

An Act relating to old age and survivors insurance for public employees; amending section 2, chapter 184, Laws of 1951 as last amended by section 2, chapter 4, Laws of 1955 ex. sess. and RCW 41.48.020; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2405, by Senators Bottiger and Atwood:

AN Act relating to prepaid legal services programs; and adding a new chapter to Title 2 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2406, by Senators Canfield, Sellar, Wanamaker and Washington (by executive request):

An Act relating to agriculture; adding a new chapter to Title 15 RCW; and declaring an effective date.

Referred to Committee on Agriculture.

SENATE BILL NO. 2407, by Senators Sandison, Atwood, Durkan and Donohue:

An Act relating to higher education; creating the Washington higher education assistance authority and setting out its powers, duties and functions; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; making an effective date; and declaring an emergency.

Referred to Committee on Higher Education.



SENATE BILL NO. 2408, by Senators Walgren, Twigg and Sandison:

An Act relating to municipal competitive bidding requirements; providing remedies; adding a new section to chapter 39.30 RCW; and prescribing penalties.  
 Referred to Committee on State Government.

SENATE BILL NO. 2409, by Senators Murray, Fleming and Whetzel:

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370; and amending section 5, chapter 288, Laws of 1971 ex. sess. as amended by section 3, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.380.  
 Referred to Committee on Ways and Means.

SENATE BILL NO. 2410, by Senators Bottiger, Henry and Sandison:

An Act relating to motor vehicles; and amending section 46.44.080, chapter 12, Laws of 1961 and RCW 46.44.080.  
 Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2411, by Senators Greive, Francis and Woodall:

An Act relating to fees of jurors; and amending section 1, chapter 56, Laws of 1907 as last amended by section 1, chapter 73, Laws of 1959 and RCW 2.36.150.  
 Referred to Judiciary Committee.

SENATE BILL NO. 2412, by Senator Scott (by Department of Social and Health Services request):

An Act relating to health facilities; amending section 7, chapter 117, Laws of 1951 as amended by section 5, chapter 160, Laws of 1953 and RCW 18.51.060; amending section 10, chapter 117, Laws of 1951 as amended by section 6, chapter 160, Laws of 1953 and RCW 18.51.090; amending section 11, chapter 117, Laws of 1951 as amended by section 1, chapter 88, Laws of 1971 ex. sess. and RCW 18.51.100; amending section 13, chapter 117, Laws of 1951 as amended by section 7, chapter 160, Laws of 1953 and RCW 18.51.120; amending section 12, chapter 267, Laws of 1955 and RCW 70.41.120; and amending section 15, chapter 267, Laws of 1955 and RCW 70.41.150.  
 Referred to Committee on Social and Health Services.

SENATE BILL NO. 2413, by Senator Rasmussen:

An Act relating to revenue and taxation; establishing an alternate method of ascertaining the fair valuation of property; adding a new chapter to Title 84 RCW; and prescribing fines.  
 Referred to Committee on Ways and Means.

SENATE BILL NO. 2414, by Senators Francis, Herr, Van Hollebeke, Day and Murray (by Governor's Task Force on Aging request):

An Act relating to state institutions; and adding a new chapter to Title 72 RCW.  
 Referred to Committee on Social and Health Services.

SENATE BILL NO. 2415, by Senators Washington, Bailey and Wanamaker:

An Act relating to water rights; amending section 3, chapter 263, Laws of 1945 and RCW 90.44.035; amending section 4, chapter 263, Laws of 1945 and RCW 90.44.040; and adding a new section to chapter 263, Laws of 1945 and to chapter 90.44 RCW.  
 Referred to Committee on Ecology.

SENATE BILL NO. 2416, by Senators Bottiger and Walgren:

An Act relating to motor vehicles; amending section 1, chapter 60, Laws of 1917 and RCW 9.54.030; and prescribing penalties.  
 Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2406, 2407 and 2414.

## THIRD READING

SENATE BILL NO. 2017, by Senators Bailey, Durkan, Peterson (Ted), Rasmussen and Washington (by State Treasurer request):

Making certain changes in the veterans bonus law.

The Senate resumed consideration of Senate Bill No. 2017 and the motion pending from Tuesday, January 30, 1973 by Senator Fleming that Senate Bill No. 2017 be returned to second reading.

There being no objection, the motion by Senator Fleming was withdrawn.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2017 and the bill passed the Senate by the following vote: Yeas, 34; nays, 13; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woody—34.

Voting nay: Senators Atwood, Clarke, Guess, Herr, Jones, Lewis (Bob), Murray, Ridder, Scott, Sellar, Stender, Wanamaker, Whetzel—13.

Absent or not voting: Senators Lewis (Harry), Woodall—2.

SENATE BILL NO. 2017, having received the 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 Senator Mardesich, the Senate returned to the sixth order of business.

## SECOND READING

SENATE BILL NO. 2163, by Senators Sandison, Washington, Lewis (Harry) and Stortini (by Joint Committee on Higher Education request):

Authorizing conduct of certain educational programs for military personnel by community colleges.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 1, section 2, line 26, after "system" insert "within the state of Washington".

## POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Mardesich yield? I understand they are just furnishing the curriculum and things like that. Does any school personnel go to these bases?"

Senator Mardesich: "I understand that if personnel does go they are financed on a repayment basis to the state, by the federal government."

## POINT OF INQUIRY

Senator Ridder: "Would Senator Sandison yield to a question? I understand that this bill arises from an honor that is being paid to Big Bend Community College and not necessarily in the interest of expanding the community college subsidiary campuses. Is it the intent of this bill merely to so honor Big Bend Community College with this program, or is the ultimate attempt to expand or add subsidiary campuses to the community college system as we know it?"

Senator Sandison: "Senator Ridder, you are making a lot of statements in prerequisite

to your question that I want it shown on the record I am not answering. It is my understanding that this program is one that Big Bend Community College has been asked to participate in without completely reimbursable expense and that the program was given to them because of some other contractual obligations they fulfilled very well working with the Air Force and the Army, particularly at Larson Air Force Base and that at the present time I know of no plan for them to work with any other military units other than what they are working with now."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Sandison, the following amendment was adopted:

On page 1, section 1, line 17, after "FURTHER," strike all the material down to and including the period on line 19 and insert "That the superintendent of public instruction shall issue the certificate or diploma in recognition of high school completion education provided pursuant to this section."

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 2163 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2163 and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2163, having received the 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. 2309, by Senators Day, Guess, Lewis (Bob), Keefe, Twigg and Donohue:

Authorizing Expo '74 bonds.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Senate Bill No. 2309 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2309, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Dore, Francis, Newschwander, Ridder, Stortini, Wanamaker—6.

Absent or not voting: Senator Durkan—1.

SENATE BILL NO. 2309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Jolly, the following resolution was adopted:

## SENATE RESOLUTION: 1973-18

By Senators Jolly, Sellar, Canfield, Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Horace W. Bozarth served the Twelfth Legislative District as a member of the House of Representatives from 1955 through 1972; and

WHEREAS, Representative Bozarth served this district comprised of Chelan and Douglas Counties with honor and distinction; and

WHEREAS, Horace always placed the needs of his constituency foremost in his mind in making legislative decisions; and

WHEREAS, Horace W. Bozarth served as Douglas County Commissioner from 1932 through 1938; and

WHEREAS, In addition to the immense amount of benefit his service gave to the state of Washington, Horace also donated much of his time as a member of the Board of Regents at Gonzaga University, worked as an Executive Board member of the Washington State Grange and made significant contributions as an active Eagle Lodge Board member; and

WHEREAS, Horace Bozarth, who was born in Fairfield, Washington, has brought credit to himself and his family as a dedicated and hardworking public servant, as a farmer and as an honorable businessman; and

WHEREAS, The Senate of the state of Washington recognizes the value of the efforts of Horace Bozarth and is appreciative of his many worthwhile and beneficial acts for the benefit of the people of Chelan and Douglas counties and of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington does hereby commend Horace W. Bozarth for his many years of public service and express to him appreciation for many benefits which have resulted from his extensive efforts for the citizens of Chelan and Douglas counties and of the state of Washington;

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to Horace W. Bozarth.

## NOTICE FROM SENATOR WASHINGTON

Senator Washington served notice that on Tuesday, February 6, 1973 he would move for consideration by the Senate of a Rule change.

## MOTION

On motion of Senator Bottiger, the following resolution was adopted:

## SENATE RESOLUTION: 1973-17

By Senators Bottiger, Gardner, Stortini, Knoblauch, Rasmussen and Newschwander:

WHEREAS, Noting the unique and valuable contribution of the Northwest Trek to the State of Washington and the considerable sacrifice that was made in donating this property for the welfare of the people of the State of Washington; and

WHEREAS, The members of the Legislature recognize the truly exceptional and praiseworthy goals of the Northwest Trek and the Tacoma Metropolitan Park Board both for increasing the tourism and revenue of the state and for protecting our ecology; and

WHEREAS, The members of the Legislature commend the Tacoma Metropolitan Park Board and urge the people of the Tacoma area to carefully consider the upcoming general

obligation bond issue on February 6 that would allow Northwest Trek to reach its full potential and would greatly benefit the people of the State of Washington; and

WHEREAS, The members of the Legislature recognize that Northwest Trek is the only exhibit of its kind in North America providing the people of the State of Washington with the opportunity to view this area's wildlife in its native environment and will safeguard this privilege for future generations;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, That Dr. and Mrs. David T. Hellyer be commended for their donation of this irreplaceable land to the people of the State of Washington, and that the members of the Tacoma Metropolitan Park Board be commended for their efforts to bring this project to its final realization.

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be prepared and forwarded to Dr. and Mrs. David T. Hellyer and the members of the Tacoma Metropolitan Park Board by the Secretary of the Senate.

MOTION

Senator Lewis (Harry) moved adoption of the following resolution:

SENATE RESOLUTION: 1973-15

By Senators Atwood, Lewis (Harry), Newschwander, Woodall and Stender:

WHEREAS, As Thirty-seventh President of the United States you have been recently inaugurated to your second term of office having received a decisive and overwhelming election victory; and

WHEREAS, The previous four years in the United States under your administration have been marked by major progress in the reduction of conflict at home and an increase in domestic tranquility through the implementation of significant social and economic programs and reforms that provide for a better way of life; and

WHEREAS, You have undertaken historic visits in an attempt to break down the overwhelming and depressing barriers which have existed between our country and other major nations in the world, and have made significant strides in the reduction of those barriers which will aid the economy and welfare of the entire country and of the state of Washington; and

WHEREAS, Your inaugural goals for the next four years and beyond spell out a new hope for mankind bringing down the walls of hostility and building bridges of understanding in their place; and

WHEREAS, Through four years of tedious, heartbreaking struggle, hard bargaining and firm resolve, resisting the pressures of the amateur military and foreign affairs experts who for the boon of personal popularity denounced you, you have nevertheless achieved a just and honorable peace in Viet Nam; and

WHEREAS, Your efforts for peace at home and abroad have shown great personal sacrifice, courage and devotion to the welfare of the United States and its people which transcend individual goals or programs of particular parties or politics.

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate in legislative session assembled, do hereby congratulate Richard M. Nixon, President of the United States, for all of his above accomplishments.

BE IT FURTHER RESOLVED, That this Resolution be suitably engraved and transmitted to Richard M. Nixon, the President of the United States.

Debate ensued.

MOTION

Senator Rasmussen moved that Senate Resolution 1973-15 be referred to the Committee on State Government.

Debate ensued.

Senator Talley demanded the previous question. The demand was not sustained.

Further debate ensued.

## MOTION

There being no objection, Senator Rasmussen amended his motion that Senate Resolution 1973-15 be referred to the Committee on State Government with instructions to report back to the Senate within one week.

Debate ensued.

Senator Lewis demanded a roll call and the demand was sustained by Senators Connor, Woodall, Greive, Rasmussen, Herr, Washington, Knoblauch, Twigg, Sellar, Peterson (Ted) and Donohue.

## ROLL CALL

The Secretary called the roll and the motion by Senator Rasmussen carried by the following vote: Yeas, 28; nays, 19; absent or not voting, 2.

Voting yea: Senators Bailey, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—28.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Sellar, Stender, Talley, Twigg, Wanamaker, Whetzel, Woodall—19.

Absent or not voting: Senators Bottiger, Henry—2.

SENATE RESOLUTION 1973-15 was referred to the Committee on State Government with instructions to report back within one week.

## MOTION

On motion of Senator Mardesich, the Senate returned to the sixth order of business.

## CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Sandison, the appointment of GERALD A. HUNT as a member of the Board of Trustees of Peninsula Community College District No. 1 was confirmed.

## APPOINTMENT OF GERALD A. HUNT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of FREDERICK B. ROSMOND as a member of the Board of Trustees of Peninsula Community College District No. 1 was confirmed.

## APPOINTMENT OF FREDERICK B. ROSMOND

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of STANLEY C. GILLIES as a member of the Board of Trustees of Grays Harbor Community College District No. 2 was confirmed.

APPOINTMENT OF STANLEY C. GILLIES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of LOUIS SORIANO as a member of the Board of Trustees of Olympic Community College District No. 3 was confirmed.

APPOINTMENT OF LOUIS SORIANO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of BARNEY BEEKSMA as a member of the Board of Trustees of Skagit Valley Community College District No. 4 was confirmed.

APPOINTMENT OF BARNEY BEEKSMA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of JOHN DONOVAN as a member of the Board of Trustees of Everett-Edmonds Community College District No. 5 was confirmed.

## APPOINTMENT OF JOHN DONOVAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of ARTHUR SIEGAL as a member of the Board of Trustees of Community College District No. 6 (Seattle) was confirmed.

## APPOINTMENT OF ARTHUR SIEGAL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of GEORGE A. FRENCH as a member of the Board of Trustees of Community College District No. 6 (Seattle) was confirmed.

## APPOINTMENT OF GEORGE A. FRENCH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of MRS. ROY S. MAR as a member of the Board of Trustees of Seattle Community College District No. 6 was confirmed.

## APPOINTMENT OF MRS. ROY S. MAR

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.



Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of INA V. KNUITSEN as a member of the Board of Trustees of Shoreline Community College District No. 7 was confirmed.

#### APPOINTMENT OF INA V. KNUITSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of C. W. DUFFY as a member of the Board of Trustees of Bellevue Community College District No. 8 was confirmed.

#### APPOINTMENT OF C. W. DUFFY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of ROY PETERSON as a member of the Board of Trustees of Bellevue Community College District No. 8 was confirmed.

#### APPOINTMENT OF ROY PETERSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of SHIRLEY S. MURRAY as a member of the Board of Trustees of Highline Community College District No. 9 was confirmed.

## APPOINTMENT OF SHIRLEY S. MURRAY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of HELEN SMITH as a member of the Board of Trustees of Green River Community College District No. 10 was confirmed.

## APPOINTMENT OF HELEN SMITH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of REVEREND M. E. NESSE as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11 was confirmed.

## APPOINTMENT OF REVEREND M. E. NESSE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

## MOTION

On motion of Senator Sandison, the appointment of DONALD M. MATHESON as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11 was confirmed.

APPOINTMENT OF DONALD M. MATHESON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of WARREN S. MILLER as a member of the Board of Trustees of Fort Steilacoom Community College District No. 11 was confirmed.

APPOINTMENT OF WARREN S. MILLER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of VERNON L. MARTIN as a member of the Board of Trustees of Centralia Community College District No. 12 was confirmed.

APPOINTMENT OF VERNON L. MARTIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of GEORGE WARREN as a member of the Board of Trustees of Centralia Community College District No. 12 was confirmed.

APPOINTMENT OF GEORGE WARREN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson,

Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of DENNIS PITTELKO as a member of the Board of Trustees of Lower Columbia Community College District No. 13 was confirmed.

#### APPOINTMENT OF DENNIS PITTELKO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of O. LLOYD HINDS, SR. as a member of the Board of Trustees of Clark Community College District No. 14 was confirmed.

#### APPOINTMENT OF O. LLOYD HINDS, SR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of J. K. McARTHUR, JR. as a member of the Board of Trustees of Wenatchee Community College District No. 15 was confirmed.

#### APPOINTMENT OF J. K. McARTHUR, JR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of MELVIN G. HAMMER as a

member of the Board of Trustees of Wenatchee Community College District No. 15 was confirmed.

APPOINTMENT OF MELVIN G. HAMMER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

MOTION

On motion of Senator Sandison, the appointment of YOSHIO HATA as a member of the Board of Trustees of Yakima Valley Community College District No. 16 was confirmed.

APPOINTMENT OF YOSHIO HATA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

MOTION

On motion of Senator Sandison, the appointment of PAUL RICKMAN as a member of the Board of Trustees of Yakima Valley Community College District No. 16 was confirmed.

APPOINTMENT OF PAUL RICKMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

MOTION

On motion of Senator Sandison, the appointment of BRYANT SMICK as a member of the Board of Trustees of Spokane Community College District No. 17 was confirmed.

APPOINTMENT OF BRYANT SMICK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr,

Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of DAVID ROBERTS as a member of the Board of Trustees of Spokane Community College District No. 17 was confirmed.

#### APPOINTMENT OF DAVID ROBERTS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of JOHN JONES as a member of the Board of Trustees of Big Bend Community College District No. 18 was confirmed.

#### APPOINTMENT OF JOHN JONES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of GUY D. ADAMS as a member of the Board of Trustees of Columbia Basin Community College District No. 19 was confirmed.

#### APPOINTMENT OF GUY D. ADAMS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of STEVEN J. HUNTINGTON as a

member of the Board of Trustees of Walla Walla Community College District No. 20 was confirmed.

APPOINTMENT OF STEVEN J. HUNTINGTON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of DR. GEORGE W. WOOD as a member of the Board of Trustees of Walla Walla Community College District No. 20 was confirmed.

APPOINTMENT OF DR. GEORGE W. WOOD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of DR. SAM P. KELLY as a member of the Board of Trustees of Whatcom Community College District No. 21 was confirmed.

APPOINTMENT OF DR. SAM P. KELLY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

MOTION

On motion of Senator Sandison, the appointment of ROBERT O'NEILL SPRINGER as a member of the Board of Trustees of Tacoma Community College District No. 22 was confirmed.

APPOINTMENT OF ROBERT O'NEILL SPRINGER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### MOTION

On motion of Senator Sandison, the appointment of ROBERT M. YAMASHITA as a member of the Board of Trustees of Tacoma Community College District No. 22 was confirmed.

#### APPOINTMENT OF ROBERT M. YAMASHITA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of former Senator Frances Haddon Morgan and appointed a special committee consisting of Senators Walgren, Greive, Atwood, Woodall, Herr, Stender and Mardesich to escort the Honorable Senator Morgan to a place of honor upon the rostrum.

#### PRESIDENT'S PRIVILEGE

The President: "Gentlemen of the Senate, ladies and gentlemen, it is a rare privilege to have the opportunity to present Frances to you this morning. For the benefit of those who are in attendance in the galleries and the newer members of the Senate, the President should like to remind you that this very charming and capable lady served with distinction in the House of Representatives and in the State Senate. Incidentally, her mother also served in those two capacities. Frances enjoyed great success during her service to the people of her district and the state of Washington, and in addition has been a highly successful businesswoman in the Bremerton area and has been most active in charitable and philanthropic work. She has been especially helpful to those children who are less fortunate than most of us. She was born in Bremerton, is a member of the ladies Elks, Soroptomists, Parent-Teachers Association and the Washington Association for Retarded Children. Frances indeed has an illustrious career both behind her and ahead. And Frances, it is with the greatest pleasure that I present you to the Senate of the State of Washington, Frances Haddon Morgan."

#### REMARKS BY FORMER SENATOR FRANCES HADDON MORGAN

Senator Morgan: "Believe me, you are the finest people on earth. My mother told me this when I was in the House in '59 and Augie and Freddie and some of us were all over there and she said, 'You will enjoy the Senate. You really will love the Senate.' And I came in and I looked at these gentlemen in their club and I thought, no, that is not for me. But I learned and I have certainly known the great good that is in all of you. When I read the papers sometimes and see so much negativism, I still know the great positive that is in all of you. Without a single negative vote one night, you gentlemen all voted for our Olympic



Center and so many other good causes in this state. And Augie marshalled through a hospital over at Lakeland Village in '59 over in the House. I remember Senator Greive and all the good that he has done. I look on all of you with a great deal of love and understanding and I am very happy to be in your august club, Senator Gordon Walgren who is our Senator from our district. He is the same age as one of my kids and I have known him since he was a little boy. That is right, isn't that Gordie? And I believe my mother helped hire both of his parents.

"I will conclude my remarks in saying I am glad to be here. I have never been brought up front before but I like to see your shining faces."

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Frances. Those of us who had the privilege of serving with you remember you with the greatest affection, admiration and respect. And thank you so much for visiting us today."

The special committee escorted the honored guest from the rostrum.

#### MOTION

At 11:30 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, February 1, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-FIFTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 1, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Murray and Whetzel. On motion of Senator Scott, Senators Murray and Whetzel were excused. On motion of Senator Donohue, Senator Durkan was excused.

The Color Guard, consisting of Pages Charles Kasmar and Barbara Remington, presented the Colors. Reverend Robert M. Keller, pastor of The Lutheran Church of The Good Shepherd of Olympia, offered the following prayer:

“FATHER, ALL THE MEN AND WOMEN IN THIS ROOM, YOUNG AND OLD, HERE ON THE FLOOR OR UP IN THESE GALLERIES, ARE YOUR CREATION. EACH UNIQUELY FASHIONED BY YOUR HAND AND GIVEN TO BREATH OF LIFE. FATHER, HELP US TO REMEMBER AS WE LOOK INTO EACH OTHER’S FACES AND EYES, HOW FRAGILE AND PRECIOUS LIFE IS, AND HELP US EVEN THOUGH WE MAY STRUGGLE OVER ISSUES AND CONCEPTS AND PROGRAMS TO TREAT ONE ANOTHER WITH THE DIGNITY AND RESPECT DUE YOUR HANDIWORK. WE PRAY THIS IN CHRIST’S NAME. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### PERSONAL PRIVILEGE

Senator Woodall: “I am sure the two visitors in the gallery from some other country should be told they are welcome here today. I know they are from some other country because they failed to place their hand over their hearts when the flag came by and no American would fail to do it.”

### REPORT OF STANDING COMMITTEE

January 30, 1973.

SENATE JOINT MEMORIAL NO. 106, providing for a second bridge across the Snake River funded with federal money (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

## MESSAGE FROM THE HOUSE

January 31, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 21,  
HOUSE BILL NO. 109,  
ENGROSSED HOUSE BILL NO. 123,  
ENGROSSED HOUSE BILL NO. 129,  
ENGROSSED HOUSE BILL NO. 139,  
HOUSE BILL NO. 238,  
HOUSE JOINT MEMORIAL NO. 1,  
HOUSE JOINT MEMORIAL NO. 5, and the same are herewith transmitted.  
DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.  
The President called the Senate to order at 10:15 a.m.

## MOTIONS

On motion of Senator Peterson (Lowell), the Senate Committee on Parks and Recreation was relieved of further consideration of Senate Bill No. 2401.

On motion of Senator Peterson (Lowell), Senate Bill No. 2401 was referred to the Committee on Ways and Means.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2417, by Senator Guess:

An Act relating to public works contracts; and adding new sections to chapter 183, Laws of 1923 and to chapter 39.04 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2418, by Senators Whetzel, Francis and Scott:

An Act relating to education; providing loans to graduate students enrolled or to be enrolled in certain colleges and universities, public or private, and the procedure therefor; creating certain funds and providing for the receipt and disbursement of moneys therefor; authorizing certain bonds and the payment of principal and interest thereof; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; and creating new sections.

Referred to Committee on Higher Education.

SENATE BILL NO. 2419, by Senator Knoblauch:

An Act relating to controlled substances; defining crimes; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.401; adding a new section to chapter 308, Laws of 1971 ex. sess. and to chapter 69.50 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2420, by Senators Bailey, Talley and Atwood:

An Act relating to public utilities excise taxes; amending section 82.16.050, chapter 15, Laws of 1961 as last amended by section 25, chapter 149, Laws of 1967 ex. sess. and RCW 82.16.050; and prescribing an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2421, by Senators Ridder, Marsh and Canfield (by Secretary of State request):

An Act relating to elections; amending section 29.27.072, chapter 9, Laws of 1965 as amended by section 1, chapter 96, Laws of 1967 and RCW 29.27.072; and amending section 29.27.074, chapter 9, Laws of 1965 as amended by section 2, chapter 96, Laws of 1967 and RCW 29.27.074.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2422, by Senators Bottiger, Murray and Woody (by Washington State Women's Council request):

An Act relating to the laws against discrimination; amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as amended by section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.030; amending section 3, chapter 183, Laws of 1949 as last amended by section 3, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.040; amending section 8, chapter 270, Laws of 1955 as last amended by section 1, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as amended by section 2, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.130; amending section 1, chapter 68, Laws of 1959 and RCW 49.60.175; amending section 9, chapter 37, Laws of 1957 as last amended by section 3, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 4, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 as last amended by section 5, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.200; amending section 4, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.220; amending section 7, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.225; and adding new sections to chapter 49.60 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2423, by Senators Grant and Murray:

An Act relating to cities of the first, second and third class; amending section 35.86.040, chapter 7, Laws of 1965 as amended by section 13, chapter 204, Laws of 1969 ex. sess. and RCW 35.86.040; amending section 35.86.060, chapter 7, Laws of 1965 and RCW 35.86.060; amending section 9, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.090; amending section 7, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.070; amending section 12, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.120; and repealing section 11, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.110.

Referred to Committee on Local Government.

SENATE BILL NO. 2424, by Senators Francis and Clarke (by Judicial Council request):

An Act relating to marriage; repealing sections 1 and 5, page 404, Laws of 1854, section 1, page 81, Laws of 1866, section 2380, Code of 1881, section 1, chapter 230, Laws of 1963, section 2, chapter 17, Laws of 1970 ex. sess. and RCW 26.04.010; repealing section 115, page 96, Laws of 1854, section 2, page 81, Laws of 1866, section 949, Code of 1881, section 1, chapter 189, Laws of 1927 and RCW 26.04.020; repealing section 1, chapter 174, Laws of 1909, section 1, chapter 16, Laws of 1909 ex. sess., section 1, chapter 149, Laws of 1959 and RCW 26.04.030; repealing section 2, chapter 174, Laws of 1909, section 2, chapter 16, Laws of 1909 ex. sess., section 2, chapter 149, Laws of 1959 and RCW 26.04.040; repealing section 4, page 404, Laws of 1854, section 4, page 82, Laws of 1866, section 2382, Code of 1881, section 1, page 43, Laws of 1883, section 1, page 98, Laws of 1890, section 1, chapter 35, Laws of 1913 and RCW 26.04.050; repealing section 6, page 405, Laws of 1854, sections 10 and 11, page 83, Laws of 1866, section 2388, Code of 1881 and RCW 26.04.060; repealing section 5, page 82, Laws of 1866, section 2383, Code of 1881 and RCW 26.04.070; repealing section 6, page 82, Laws of 1866, section 2384, Code of 1881 and RCW 26.04.080; repealing section 7, page 405, Laws of 1854, section 7, page 82, Laws of 1866, section 2385, Code of 1881, section 1, chapter 172, Laws of 1927, section 1, chapter 59, Laws of 1947, section 4, chapter 26, Laws of 1967 and RCW

26.04.090; repealing section 8, page 82, Laws of 1866, section 2, page 105, Laws of 1867, section 2386, Code of 1881, section 1, page 66, Laws of 1886, section 2, chapter 59, Laws of 1947, section 5, chapter 26, Laws of 1967 and RCW 26.04.100; repealing section 9, page 83, Laws of 1866, section 2387, Code of 1881, section 2, page 66, Laws of 1886, section 3, chapter 59, Laws of 1947, section 6, chapter 26, Laws of 1967 and RCW 26.04.110; repealing section 2389, Code of 1881 and RCW 26.04.120; repealing section 3, page 81, Laws of 1866, section 2381, Code of 1881 and RCW 26.04.130; repealing section 2, chapter 204, Laws of 1939 and RCW 26.04.140; repealing section 3, chapter 204, Laws of 1939, section 2, chapter 230, Laws of 1963 and RCW 26.04.150; repealing section 4, chapter 204, Laws of 1939, section 7, chapter 26, Laws of 1967 and RCW 26.04.160; repealing section 1, chapter 279, Laws of 1969 ex. sess. and RCW 26.04.165; repealing section 5, chapter 204, Laws of 1939 and RCW 26.04.170; repealing section 1, chapter 107, Laws of 1953, section 3, chapter 230, Laws of 1963 and RCW 26.04.180; repealing section 7, chapter 204, Laws of 1939 and RCW 26.04.190; repealing section 8, chapter 204, Laws of 1939 and RCW 26.04.200; repealing sections 13 and 14, page 83, Laws of 1866, section 1, page 104, Laws of 1867, sections 2391 and 2392, Code of 1881, section 3, chapter 174, Laws of 1909, section 3, chapter 16, Laws of 1909 ex. sess., section 3, chapter 149, Laws of 1959, section 4, chapter 230, Laws of 1963, section 5, chapter 17, Laws of 1970 ex. sess. and RCW 26.04.210; repealing section 15, page 84, Laws of 1866, section 2393, Code of 1881 and RCW 26.04.220; repealing section 16, page 84, Laws of 1866, section 2394, Code of 1881, section 4, chapter 174, Laws of 1909, section 4, chapter 16, Laws of 1909 ex. sess. and RCW 26.04.230; repealing section 17, page 84, Laws of 1866, section 2395, Code of 1881 and RCW 26.04.240; repealing section 419, chapter 249, Laws of 1909 and RCW 26.04.250; repealing section 1, chapter 215, Laws of 1949 and RCW 26.08.010; repealing section 2, chapter 215, Laws of 1949, section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020; repealing section 3, chapter 215, Laws of 1949, section 1, chapter 28, Laws of 1970 ex. sess. and RCW 26.08.030; repealing section 4, chapter 215, Laws of 1949 and RCW 26.08.040; repealing section 5, chapter 215, Laws of 1949 and RCW 26.08.050; repealing section 6, chapter 215, Laws of 1949 and RCW 26.08.060; repealing section 7, chapter 215, Laws of 1949 and RCW 26.08.070; repealing section 8, chapter 215, Laws of 1949, section 1, chapter 21, Laws of 1972 ex. sess. and RCW 26.08.080; repealing section 9, chapter 215, Laws of 1949, section 70, chapter 81, Laws of 1971 and RCW 26.08.090; repealing section 10, chapter 215, Laws of 1949 and RCW 26.08.100; repealing section 11, chapter 215, Laws of 1949 and RCW 26.08.110; repealing section 12, chapter 215, Laws of 1949 and RCW 26.08.120; repealing section 13, chapter 215, Laws of 1949 and RCW 26.08.130; repealing section 14, chapter 215, Laws of 1949 and RCW 26.08.140; repealing section 15, chapter 215, Laws of 1949 and RCW 26.08.150; repealing section 16, chapter 215, Laws of 1949 and RCW 26.08.160; repealing section 17, chapter 215, Laws of 1949 and RCW 26.08.170; repealing section 18, chapter 215, Laws of 1949 and RCW 26.08.180; repealing section 19, chapter 215, Laws of 1949 and RCW 26.08.190; repealing section 20, chapter 215, Laws of 1949 and RCW 26.08.200; repealing section 21, chapter 215, Laws of 1949 and RCW 26.08.210; repealing section 11, chapter 26, Laws of 1967 and RCW 26.08.215; repealing section 22, chapter 215, Laws of 1949 and RCW 26.08.220; repealing section 1, chapter 135, Laws of 1949 and RCW 26.08.230; and adding a new chapter to Title 26 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2425, by Senators Odegaard, Grant and Henry:

An Act relating to elections; amending section 29.51.170, chapter 9, Laws of 1965 as last amended by section 28, chapter 109, Laws of 1967 ex. sess. and RCW 29.51.170; and amending section 29.54.050, chapter 9, Laws of 1965 as amended by section 11, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.050.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2426, by Senators Rasmussen and Peterson (Lowell):

An Act relating to food fish; adding a new section to chapter 75.12 RCW; and prescribing penalties.

Referred to Committee on Natural Resources.

## MOTION

On motion of Senator Rasmussen, Senator Peterson (Lowell) was permitted as an additional sponsor to Senate Bill No. 2426.

SENATE BILL NO. 2427, by Senators Rasmussen and Peterson (Lowell):

An Act relating to commercial anchovy fishing and canning; adding new sections to chapter 75.12 RCW; and prescribing penalties.

Referred to Committee on Natural Resources.

## MOTION

On motion of Senator Rasmussen, Senator Peterson (Lowell) was permitted as an additional sponsor to Senate Bill No. 2427.

SENATE BILL NO. 2428, by Senators Guess and Henry:

An Act relating to transportation; providing for studies; and creating a new section.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2429, by Senators Ridder, Grant and Canfield:

An Act relating to elections; amending section 29.36.010, chapter 9, Laws of 1965 as amended by section 37, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.010; and amending section 6, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.120.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2430, by Senators Henry, Guess and Donohue:

An Act relating to motor vehicle equipment; and amending section 46.37.480, chapter 12, Laws of 1961 and RCW 46.37.480.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2431, by Senators Marsh, Henry, Day, Van Hollebeke, Gardner, Odegaard and Talley:

An Act relating to the taxation of personal property; amending section 84.36.120, chapter 15, Laws of 1961 as amended by section 72, chapter 299, Laws of 1971 ex. sess. and RCW 84.36.120; creating a new section; repealing section 82.50.010, chapter 15, Laws of 1961, section 44, chapter 149, Laws of 1967 ex. sess., section 35, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.010; repealing section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400; repealing section 56, chapter 299, Laws of 1971 ex. sess., section 2, chapter 144, Laws of 1972 ex. sess. and RCW 82.50.410; repealing section 57, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.420; repealing section 58, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.430; repealing section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440; repealing section 60, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.450; repealing section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460; repealing section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470; repealing section 63, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.480; repealing section 64, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.490; repealing section 67, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.520; repealing section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530; and repealing section 69, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.540.

Referred to Committee on Ways and Means.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2431.

SENATE JOINT MEMORIAL NO. 109, by Senators Van Hollebeke, Day, Rasmussen and Marsh:

Memorializing Congress to lower minimum social security age for full benefits from sixty-five to sixty-two.

Referred to Committee on Labor.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Joint Memorial No. 109.

SENATE JOINT RESOLUTION NO. 113, by Senator Whetzel:

Proposing a new judicial article for the state Constitution.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 114, by Senator Ridder (by Secretary of State request):

Reducing requirement for publication of amendments to Constitution to two times during four weeks preceding election.

Referred to Committee on Constitution and Elections.

SENATE CONCURRENT RESOLUTION NO. 111, by Senators Odegaard and Gardner:

Providing for review of institutional education programs and parental input into their contents.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 21, by Representatives Barden and Shipoch (by State Treasurer request):

Creating the state treasurer's service fund and providing for the allocation of funds thereto for the operation of the state treasurer's office.

Referred to Committee on State Government.

HOUSE BILL NO. 109, by Representatives Van Dyk, Berentson and Goltz:

Removing milk solids from the limitation placed upon advertising milk products by naming the breed of cow which produced it.

Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 123, by Representatives North (Lois) and Haussler:

Empowering mayor of first class city to appoint a designee to his seat on the police pension board.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 129, by Representatives Kilbury, Sommers, Knowles and Kopet:

Increasing sheriff's civil fees.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 139, by Representatives Newhouse, Moon and Williams (by Legislative Council request):

Taxing telegraph company property as real property and apportioning the revenues amongst the taxing districts on the basis of the situs of equipment.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 238, by Representatives Benitz, Kilbury, Haussler, Morrison and Tilly (by Department of Agriculture request):

Redefining boundaries of Washington state fruit commission districts.

Referred to Committee on Agriculture.

HOUSE JOINT MEMORIAL NO. 1, by Representative Parker (by State Militia request):

Providing that the 9th Infantry Division be designated "The Northwest's Own".

Referred to Committee on State Government.

HOUSE JOINT MEMORIAL NO. 5, by Representatives Johnson, McCormick, Hurley, Knowles, Kopet, Kuehnle, Luders, May and Pardini:  
 Requesting issuance of an Expo '74 commemorative postage stamp.  
 Referred to Committee on State Government.  
 There being no objection, Senator Jones was excused.

### SECOND READING

SENATE BILL NO. 2042, by Senators Francis, Twigg and Woodall:  
 Providing for allowances of attorneys' fees as costs in certain actions.

### REPORT OF STANDING COMMITTEE

January 26, 1973.

SENATE BILL NO. 2042, providing for allowances of attorneys' fees as costs in certain actions (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7, after "pleaded" and before the comma insert "by the prevailing party as hereinafter defined"

On page 1, section 2, line 14, after "by the" strike "adverse party" and insert "plaintiff, or party seeking relief,"

On page 1, section 3, line 20, after "by" strike "said party" and insert "the defendant, or the party resisting relief,"

On page 1, section 4, line 23 after "rules" strike all the language down to, but not including the "period" on line 24.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Dore, Durkan, Woodall.

The bill was read the second time by sections.

Senator Francis moved adoption of the committee amendment to page 1, section 1, line 7.

### POINTS OF INQUIRY

Senator Fleming: "Mr. President, would Senator Francis yield? Senator Francis, what is considered a reasonable attorney's fee?"

Senator Francis: "Well, you have to present evidence of that to the court. You put in the number of hours worked, the amount involved and so forth. There are several other kinds of statutes now that provide reasonable attorney's fees. In those cases the court decides it on the basis of the evidence before it."

Senator Ridder: "Would the Senator yield to a question? Besides getting a court fee for this, is it possible to make some contract to get another fee, besides?"

Senator Francis: "Quite often, yes. But not besides. Quite often a case would be taken, say for an indigent plaintiff who has had his automobile damaged by someone who had no insurance. It might be taken on a one-third contingent fee. That is, the attorney would take it for a third of whatever he could collect for him. Well, if he collects more for him than the five hundred dollars actual damage, maybe he collects seven hundred, then his fee would be a third of the seven hundred rather than a third of the five hundred. No, he is not limited to the attorney's fee that is granted but it is the total amount that would increase the recovery to both sides, to both the attorney and his client."

Senator Stender: "Would Senator Francis yield? Senator, do I understand it would accrue to the client? This is a lawyers' relief bill, isn't it? In other words you have an agreement with your client for one-third and you won the case and got some more attorney's fees, that would not accrue to the client, would it?"

Senator Francis: "It certainly could accrue to the client, Senator Stender. Another way of handling this, if the attorney and client have agreed that the attorney would handle it for, say one hundred and fifty dollars. The court awards the full hundred and fifty dollar attorney's fee, then the client does not have to pay out of his share so he, in effect, gets one hundred and fifty dollars more. It may all accrue to the client's benefit in other words. The



second part about the attorney's relief, all I can say is I think of it as a taxpayer relief because the idea is to discourage trials of these small cases by encouraging settlement of them."

Senator Stender: "I just wanted to get your version of this straight in my mind. You say it would accrue as well to the client and I just wanted to pose a particular hypothetical situation. Say that you had a thousand dollar claim that would come under this act and you have agreed with your client to handle it for one-third. And you prevailed in the court and received attorney's fees. Do you mean to tell me that that attorney's fee that was awarded by the court could in part accrue to the client?"

Senator Francis: "Certainly, Senator Stender. The way it would work is this. If the agreement was for one-third, the judgment was for one thousand and the judge added an additional two hundred dollars as reasonable attorney's fees, then there would be a twelve hundred dollar judgment. In one of those contingent cases the attorney would then have to collect it which may involve a lot more work than what has ended up in court that day. If he collects the full twelve hundred his fee would be one-third of that and the client would get the rest. Yes, anytime the judgment is larger in a contingent fee case like that the client is going to get two-thirds of any additional amount."

Senator Stender: "In other words you are saying then that the court awarded attorney's fees would be a part of the judgment?"

Senator Francis: "That is correct."

Senator Stender: "Then it would run over a thousand dollars and would you be disqualified under the act?"

Senator Francis: "The way I read it, no. The jurisdiction of the court is based on the original plea, the original prayer for relief, and they can award attorney's fees over and above that."

The committee amendment to page 1, section 1, line 7 was adopted.

On motion of Senator Francis, the committee amendments to sections 2, 3 and 4 were adopted.

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2042 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2042 and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Waigren, Wanamaker, Washington, Woodall, Woody-44.

Voting nay: Senator Rasmussen-1.

Excused: Senators Durkan, Jones, Murray, Whetzel-4.

ENGROSSED SENATE BILL NO. 2042, having received the 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 Senator Mardesich, Senate Bill No. 2246 was ordered to hold its place on the second reading calendar for Friday, February 2, 1973.

#### SECOND READING

SENATE BILL NO. 2039, by Senators Francis and Woody:  
Requiring ramps on curbs for physically handicapped.

## REPORT OF STANDING COMMITTEE

January 26, 1973.

SENATE BILL NO. 2039, requiring ramps on curbs for physically handicapped (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 10, after "block" and before "on" strike "giving".

On line 10, following "on" and before "the" add "or near".

In section 1, line 11, after "least" and before "inches" strike "forty" and add "thirty".

On line 11, after "wide", and before "and" add "at a slope not to exceed one-inch rise per eight-inch run".

In section 1, line 13, after "persons" delete "and bicycles".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Murray, Sellar, Talley, Walgren, Whetzel.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendments to section 1, line 10 were adopted.

Senator Fleming moved adoption of the committee amendment to section 1, line 11, after "least" and before "inches" strike "forty" and add "thirty".

## POINT OF INQUIRY

Senator Stender: "Would Senator Fleming yield? It seems so unusual that we would have this just to the bare minimum. You know today's wheel chairs may not be the same tomorrow. And why, if we are putting something as permanent as concrete, do we want to fool around with a difference between thirty and forty inches in relation to this kind of measure?"

Senator Fleming: "Well basically, the cities and the people that are supporting the measure, the handicapped clubs and so forth, felt this would be ample. We cannot predict what is going to happen in the year 2000 but they felt as though this would be sufficient and they did feel as though the possibility of making wheel chairs past thirty or thirty-five inches wide was sort of remote."

Senator Stender: "I might further ask, are you aware that they are now building a chair that is self-propelled? It possibly has a wider wheelbase."

Senator Fleming: "Senator Stender, I am not aware of that but I am sure that the people that are involved, people such as the handicapped, sheltered workshops, retarded children, Seattle handicapped clubs, are aware of these kinds of problems. And I have no patent on this thirty or forty inches but this is what the committee felt would be appropriate size and this is the type of ramp and size of ramp that they have been using in other areas in Seattle and so forth."

Senator Stender: "Do you have any idea what the difference in cost would be—between thirty and forty inches?"

Senator Fleming: "No. I know the cost for the ramp would approximately run about ten dollars apiece and my understanding from the city of Bellevue is that the ramps would cost less than the regular curbs because of using less cement."

On motion of Senator Guess, the following amendment to the committee amendment was adopted:

Amend the committee amendment to section 1, line 11 as follows: After "thirty" insert "-six"

The motion by Senator Fleming carried. The committee amendment to section 1, line 11, as amended, was adopted.

Senator Fleming moved adoption of the committee amendment to section 1, line 11, after "wide" and before "and" add "at a slope not to exceed one-inch rise per eight-inch run".

## POINT OF INQUIRY

Senator Canfield: "Would Mr. Fleming yield? How long would this ramp be?"

Senator Fleming: "I do not know. I would have to refer you to one of the prime sponsors."

Senator Canfield: "I am talking about a one-inch rise in eight. I just wanted to get the length of this ramp clearly in mind."

Senator Fleming: "It depends on how high your sidewalks would be."

Senator Canfield: "I am talking about an eight-inch rise."

Senator Fleming: "Not being an engineer, Senator Canfield, I could not answer. Maybe Senator Guess might want to answer."

Senator Canfield: "Mr. President, it would be something over five feet and my question is whether it is necessary to have a five-foot ramp go up eight inches."

Senator Guess: "If I may, I would like to correct Senator Canfield. If it is one inch of rise per eight inches of width—and the term 'run' is strictly a colloquialism that I have never heard of—it should be one inch of rise per eight inches of horizontal measurement. It comes out the same but it is not the proper way of speaking of it. If you have an eight-inch high curb it is going to take sixty-four inches. And that is five feet and four inches."

Senator Canfield: "That was the point that I raised and I thought that Senator Guess said it was an error. Do you now say I was correct, Senator Guess? I understood you to say that my figures were in error. And my statement was I thought you would have to have a ramp something over five feet long and you said I was in error. Do you now say I was correct?"

Senator Guess: "You are correct."

Senator Canfield: "Thank you, Senator Guess."

#### MOTIONS

On motion of Senator Mardesich, the committee amendment to section 1, line 11, after "wide", and before "and", add "at a slope not to exceed one-inch rise per eight-inch run" was laid upon the table.

On motion of Senator Fleming, the committee amendment to section 1, line 13, was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 2039 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Jolly: "Will Senator Francis yield? Senator Francis, I have a problem with the tenth line of this bill, 'per lineal block'. Would you define a lineal block for me? The question that comes up in my mind is that my little town of Connell last summer built two sidewalks from the city limits to school. These two sidewalks are about a quarter of a mile long. Would that be classified as a lineal block under this bill? There are no intersections. Would they have to put two ramps in every three hundred feet as in a city block?"

Senator Francis: "Senator Jolly, the word 'block' here does not refer to a lineal distance but refers to the period between intersections and later in that same line it says, 'at the crosswalks at intersections'. In other words the lineal blocks they are talking about, it does not matter how long the blocks are. The point is it is where another street crosses and there is an intersection that the ramp should be put in in any new construction or reconstruction."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2039 and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar,

Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Excused: Senators Durkan, Jones, Murray, Whetzel—4.

ENGROSSED SENATE BILL NO. 2039, having received the 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 Senator Metcalf, the following resolution was adopted:

#### SENATE RESOLUTION 1973-19

By Senators Metcalf and Talley:

WHEREAS, The Meadowdale Senior High School Band and the Kelso High School Band have been invited to represent our State and Nation at the Second Annual Invitational Mexican Band Festival this spring; and

WHEREAS, This invitation to two bands from the Evergreen State does great honor to the musical achievement of these bands and of the State of Washington; and

WHEREAS, It is appropriate to recognize these schools and their achievement and this honor done to our State and its citizens;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Meadowdale Senior High School Band and the Kelso High School Band are officially recognized for their great achievement in receiving this honor from the Mexican Government; and that the support, encouragement and best wishes of the Senate are extended to the members of these two bands.

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be prepared and forwarded to Meadowdale Senior High School and Kelso High School by the Secretary of the Senate.

#### PERMISSION GRANTED

Senator Peterson (Lowell) was given permission by the Senate to use the Senate Chamber on Thursday afternoon, February 8, 1973, for the purpose of a hearing on Indian Fishing Rights by the Committee on Natural Resources.

#### MOTION

At 10:55 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, February 2, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SIXTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 2, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Francis, Herr, Jones, Lewis (Bob), Sellar and Twigg. On motion of Senator Scott, Senators Jones, Lewis (Bob) and Sellar were excused. Senator Lewis (Bob) was excused due to a death in his family. On motion of Senator Peterson (Lowell), Senator Herr was excused. On motion of Senator Woody, Senator Francis was excused. On motion of Senator Keefe, Senator Durkan was excused. On motion of Senator Woodall, Senator Twigg was excused.

The Color Guard, consisting of Pages Peggy Keogh and Brenda Carr, presented the Colors. Reverend Robert M. Keller, pastor of The Lutheran Church of The Good Shepherd of Olympia, offered the following prayer:

“FATHER, ONCE AGAIN WE PAUSE TO SAY THANK YOU FOR YOUR PATIENCE, YOUR GOODNESS, AND LOVE: TO ASK YOUR BLESSING ON THIS DAY AND ON THESE MEN. MAY THE AWARENESS OF YOUR LOVING PRESENCE ENCOURAGE EACH OF US TO BE FAITHFUL IN OUR TASK. WE PRAY IN CHRIST’S NAME. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

February 1, 1973.

SENATE BILL NO. 2009, providing for an advisory council on science and technology and defining its functions (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Donohue, Guess, Stortini, Van Hollebeke. Passed to Committee on Rules for second reading.

February 1, 1973.

SENATE BILL NO. 2118, removing citizenship requirements to teach in common schools of state (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 1, 1973.

SENATE BILL NO. 2194, allowing grants to certain disadvantaged elementary and secondary students (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Odegaard, Peterson (Ted).  
Passed to Committee on Rules for second reading.

February 1, 1973.

SENATE BILL NO. 2339, creating an advisory committee to the department of fisheries (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

February 1, 1973.

SENATE BILL NO. 2340, providing for adoption of rules and regulations of the department of fisheries according to the administrative procedure act (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

February 1, 1973.

HAROLD E. LOKKEN, to the position of member of the Pacific Marine Fisheries Commission, appointed by the Governor on January 12, 1973 for the term ending June 12, 1975, succeeding himself (reported by the Committee on Natural Resources):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 10:50 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:50 a.m.

#### MESSAGE FROM THE HOUSE

February 1, 1973.

Mr. President: Under the provisions of House Concurrent Resolution No. 14, the Speaker has appointed:

Representatives Hurley, Jastad and Paris.

DONALD R. WILSON, Assistant Chief Clerk.

#### APPOINTMENT OF MEMORIAL COMMITTEE

The President appointed Senators Rasmussen, Knoblauch and Guess to the Memorial Committee under the provisions of House Concurrent Resolution No. 14.

On motion of Senator Mardesich, The Memorial Committee appointments were confirmed.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2432, by Senators Walgren, Guess, Metcalf and Matson:

An Act relating to devices adapted for the use of drugs by injection; creating a new chapter in Title 70 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2433, by Senators Durkan, Murray and Francis:

An Act relating to municipal courts; amending section 35.20.030, chapter 7, Laws of 1965 and RCW 35.20.030; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2434, by Senators Francis, Whetzel and Ridder:

An Act relating to highway signs; creating a new chapter in Title 47 RCW; and providing penalties.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2435, by Senators Day, Atwood and Durkan:

An Act relating to public health; amending sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, and 18, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.030, 70.96A.040, 70.96A.050, 70.96A.060, 70.96A.070, 70.96A.080, 70.96A.090, 70.96A.100, 70.96A.110, 70.96A.150, 70.96A.160, 70.96A.170, and 70.96A.180; adding new sections to chapter 122, Laws of 1972 ex. sess. and to chapter 70.96A RCW; creating new sections; and making an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2436, by Senators Grant, Connor and Stender (by Department of Employment Security request):

An Act relating to unemployment compensation; amending section 39, chapter 35, Laws of 1945 as amended by section 9, chapter 215, Laws of 1947 and RCW 50.08.020; amending section 41, chapter 35, Laws of 1945 and RCW 50.12.020; amending section 43, chapter 35, Laws of 1945 and RCW 50.12.040; amending section 57, chapter 35, Laws of 1945 as amended by section 2, chapter 266, Laws of 1959 and RCW 50.12.180; amending section 75, chapter 35, Laws of 1945 as last amended by section 10, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.070; amending section 78, chapter 35, Laws of 1945 and RCW 50.20.100; amending section 87, chapter 35, Laws of 1945 as last amended by section 14, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.190; amending section 92, chapter 35, Laws of 1945 as amended by section 16, chapter 8, Laws of 1953 ex. sess. and RCW 50.24.040; amending section 93, chapter 35, Laws of 1945 as amended by section 19, chapter 215, Laws of 1947 and RCW 50.24.050; amending section 101, chapter 35, Laws of 1945 as amended by section 21, chapter 214, Laws of 1949 and RCW 50.24.130; amending section 10, chapter 2, Laws of 1970 ex. sess. as amended by section 16, chapter 3, Laws of 1971 and RCW 50.29.010; amending section 13, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.040; amending section 15, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.060; amending section 16, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.070; amending section 125, chapter 35, Laws of 1945 and RCW 50.32.090; amending section 128, chapter 35, Laws of 1945 as amended by section 119, chapter 81, Laws of 1971 and RCW 50.32.120; amending section 129, chapter 35, Laws of 1945 as amended by section 120, chapter 81, Laws of 1971 and RCW 50.32.130; amending section 130, chapter 35, Laws of 1945 and RCW 50.32.140; adding a new section to chapter 35, Laws of 1945 and to chapter 50.24 RCW; repealing section 47.64.050, chapter 13, Laws of 1961 and RCW 47.64.050; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2437, by Senator Ridder:

An Act relating to hitchhiking; amending section 38, chapter 155, Laws of 1965 as amended by section 1, chapter 38, Laws of 1972 ex. sess. and RCW 46.61.255; adding new sections to chapter 155, Laws of 1965 and to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2438, by Senators Donohue, Guess, Sandison and Durkan:

An Act relating to the distribution of moneys in the liquor revolving fund; and amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180.

Referred to Committee on Higher Education.

SENATE BILL NO. 2439, by Senators Grant, Henry, Jones and Marsh (by Secretary of State request):

An Act relating to elections; and adding a new chapter to Title 29 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2440, by Senator Walgren (by Washington Utilities and Transportation Commission request):

An Act relating to transportation; and amending section 12, chapter 106, Laws of 1963 as amended by section 1, chapter 51, Laws of 1971 and RCW 46.85.120; amending section 3, chapter 59, Laws of 1963 and RCW 81.04.405; amending section 81.48.030, chapter 14, Laws of 1961 as amended by section 1, chapter 143, Laws of 1971 ex. sess. and RCW 81.48.030; amending section 3, chapter 134, Laws of 1969 and RCW 81.53.281; amending section 81.68.050, chapter 14, Laws of 1961 and RCW 81.68.050; amending section 7, chapter 150, Laws of 1965 as amended by section 4, chapter 132, Laws of 1969 and RCW 81.70.060; amending section 8, chapter 132, Laws of 1969 and RCW 81.70.095; amending section 11, chapter 150, Laws of 1965 as amended by section 9, chapter 132, Laws of 1969 and RCW 81.70.100; amending section 6, chapter 295, Laws of 1961 and RCW 81.77.050; amending section 81.80.090, chapter 14, Laws of 1961 and RCW 81.80.090; amending section 81.80.150, chapter 14, Laws of 1961 and RCW 81.80.150; amending section 81.80.270, chapter 14, Laws of 1961 as last amended by section 12, chapter 210, Laws of 1969 ex. sess. and RCW 81.80.270; amending section 2, chapter 134, Laws of 1965 ex. sess. and RCW 81.80.272; amending section 81.80.040, chapter 14, Laws of 1961 and RCW 81.80.040; repealing 81.80.180, chapter 14, Laws of 1961 and RCW 81.80.180; and prescribing penalties.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2441, by Senators Day, Murray and Keefe (by Department of Motor Vehicle request):

An Act relating to businesses and professions; amending section 6, chapter 323, Laws of 1959 and RCW 18.08.150; amending section 10, chapter 323, Laws of 1959 as amended by section 1, chapter 266, Laws of 1971 ex. sess. and RCW 18.08.190; amending section 13, chapter 323, Laws of 1959 and RCW 18.08.220; amending section 3, chapter 75, Laws of 1923 as last amended by section 3, chapter 223, Laws of 1967 and RCW 18.15.040; amending section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050; amending section 7, chapter 75, Laws of 1923 as last amended by section 2, chapter 266, Laws of 1971 ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065; amending section 2, chapter 84, Laws of 1959 as amended by section 14, chapter 223, Laws of 1967 and RCW 18.15.095; amending section 13, chapter 223, Laws of 1967 and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100; amending section 13, chapter 101, Laws of 1957 as last amended by section 18, chapter 223, Laws of 1967 and RCW 18.15.125; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 14, chapter 215, Laws of 1937 as last amended by section 10, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.120; amending section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140; amending section 14, chapter 52, Laws of 1957 as amended by section 1, chapter 97, Laws of 1965 and RCW 18.22.060; amending section 3, chapter 97, Laws of 1965 and RCW 18.22.081; amending section 6, chapter 149, Laws of 1955 as last amended by section 4, chapter 266, Laws of 1971 ex. sess. and RCW 18.22.120; amending section 5, chapter 5, Laws of 1919 as



amended by section 3, chapter 53, Laws of 1959 and RCW 18.25.020; amending section 14, chapter 5, Laws of 1919 as amended by section 6, chapter 227, Laws of 1971 ex. sess. and RCW 18.25.040; amending section 8, chapter 5, Laws of 1919 and RCW 18.25.050; amending section 10, chapter 5, Laws of 1919 as last amended by section 5, chapter 266, Laws of 1971 ex. sess. and RCW 18.25.070; amending section 7, chapter 77, Laws of 1963 as amended by section 2, chapter 126, Laws of 1967 and RCW 18.27.070; amending section 3, chapter 201, Laws of 1967 as amended by section 6, chapter 266, Laws of 1971 ex. sess. and RCW 18.28.030; amending section 28, chapter 16, Laws of 1923 as last amended by section 21, chapter 292, Laws of 1971 ex. sess. and RCW 18.29.020; amending section 33, chapter 16, Laws of 1923 as amended by section 3, chapter 47, Laws of 1969 and RCW 18.29.040; amending section 32, chapter 16, Laws of 1923 as amended by section 5, chapter 47, Laws of 1969 and RCW 18.29.070; amending section 29, chapter 52, Laws of 1957 as amended by section 1, chapter 49, Laws of 1969 and RCW 18.32.110; amending section 5, chapter 93, Laws of 1953 as last amended by section 2, chapter 49, Laws of 1969 and RCW 18.32.120; amending section 25, chapter 52, Laws of 1957 and RCW 18.32.170; amending section 24, chapter 112, Laws of 1935 as last amended by section 3, chapter 49, Laws of 1969 and RCW 18.32.180; amending section 10, chapter 112, Laws of 1935 and RCW 18.32.200; amending section 13, chapter 112, Laws of 1935 as amended by section 4, chapter 47, Laws of 1969 and RCW 18.32.210; amending section 15, chapter 112, Laws of 1935 and RCW 18.32.225; amending section 7, chapter 43, Laws of 1957 as amended by section 22, chapter 292, Laws of 1971 ex. sess. and RCW 18.34.070; amending section 12, chapter 43, Laws of 1957 and RCW 18.34.120; amending section 3, chapter 36, Laws of 1919 and RCW 18.36.040; amending section 11, chapter 36, Laws of 1919 and RCW 18.36.050; amending section 1, chapter 83, Laws of 1953 as amended by section 7, chapter 266, Laws of 1971 ex. sess. and RCW 18.36.115; amending section 6, chapter 108, Laws of 1937 as amended by section 8, chapter 266, Laws of 1971 ex. sess. and RCW 18.39.050; amending section 10, chapter 108, Laws of 1937 and RCW 18.39.120; amending section 15, chapter 108, Laws of 1937 and RCW 18.39.130; amending section 8, chapter 108, Laws of 1937 and RCW 18.39.150; amending section 8, chapter 283, Laws of 1947 and RCW 18.43.050; amending section 11, chapter 283, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1965 ex. sess. and RCW 18.43.080; amending section 13, chapter 283, Laws of 1947 as amended by section 6, chapter 297, Laws of 1959 and RCW 18.43.100; amending section 14, chapter 283, Laws of 1947 and RCW 18.43.110; amending section 16, chapter 283, Laws of 1947 as last amended by section 2, chapter 126, Laws of 1965 ex. sess. and RCW 18.43.130; amending section 3, chapter 160, Laws of 1917 and RCW 18.50.050; amending section 7, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.070; amending section 8, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.080; amending section 11, chapter 57, Laws of 1970 ex. sess. as amended by section 9, chapter 266, Laws of 1971 ex. sess. and RCW 18.52.110; amending section 13, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.130; amending section 13, chapter 144, Laws of 1919 as last amended by section 10, chapter 266, Laws of 1971 ex. sess. and RCW 18.53.050; amending section 9, chapter 144, Laws of 1919 and RCW 18.53.070; amending section 6, chapter 4, Laws of 1919 as amended by section 11, chapter 266, Laws of 1971 ex. sess. and RCW 18.57.050; amending section 17, chapter 4, Laws of 1919 as amended by section 1, chapter 82, Laws of 1921 and RCW 18.57.130; amending section 10, chapter 30, Laws of 1971 ex. sess. and RCW 18.57A.040; amending section 35, chapter 202, Laws of 1955 and RCW 18.71.040; amending section 36, chapter 202, Laws of 1955 as amended by section 12, chapter 266, Laws of 1971 ex. sess. and RCW 18.71.080; amending section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090; amending section 4, chapter 30, Laws of 1971 ex. sess. and RCW 18.71A.040; amending section 5, chapter 239, Laws of 1949 as amended by section 4, chapter 64, Laws of 1961 and RCW 18.74.050; amending section 6, chapter 239, Laws of 1949 as amended by section 5, chapter 64, Laws of 1961 and RCW 18.74.060; amending section 7, chapter 239, Laws of 1949 as last amended by section 13, chapter 266, Laws of 1971 ex. sess. and RCW 18.74.070; amending section 9, chapter 222, Laws of 1949 as amended by section 3, chapter 15, Laws of 1963 and RCW 18.78.080; amending section 10, chapter 222, Laws of 1949 as last amended by section 14, chapter 266, Laws of 1971 ex. sess. and RCW

18.78.090; amending section 3, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.030; amending section 6, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.060; amending section 6, chapter 305, Laws of 1955 as amended by section 6, chapter 70, Laws of 1965 and RCW 18.83.060; amending section 23, chapter 70, Laws of 1965 and RCW 18.83.082; amending section 9, chapter 305, Laws of 1955 as last amended by section 16, chapter 266, Laws of 1971 ex. sess. and RCW 18.83.090; amending section 22, chapter 70, Laws of 1965 and RCW 18.83.105; amending section 17, chapter 305, Laws of 1955 as amended by section 17, chapter 70, Laws of 1965 and RCW 18.83.170; amending section 16, chapter 202, Laws of 1949 as amended by section 10, chapter 288, Laws of 1961 and RCW 18.88.160; amending section 19, chapter 202, Laws of 1949 as last amended by section 18, chapter 266, Laws of 1971 ex. sess. and RCW 18.88.190; amending section 20, chapter 202, Laws of 1949 as amended by section 12, chapter 288, Laws of 1961 and RCW 18.88.200; amending section 4, chapter 200, Laws of 1959 as amended by section 19, chapter 266, Laws of 1971 ex. sess. and RCW 18.90.040; amending section 5, chapter 200, Laws of 1959 and RCW 18.90.050; amending section 10, chapter 71, Laws of 1941 as last amended by section 7, chapter 50, Laws of 1967 ex. sess. and RCW 18.92.115; amending section 17, chapter 71, Laws of 1941 and RCW 18.92.142; amending section 19, chapter 71, Laws of 1941 as last amended by section 20, chapter 266, Laws of 1971 ex. sess. and RCW 18.92.145; amending section 8, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.080; amending section 10, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.100; amending section 11, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.110; amending section 14, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.140; amending section 5, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.140; amending section 6, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.150; amending section 14, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.140; and amending section 21, chapter 266, Laws of 1971 ex. sess. and RCW 43.24.085.

Referred to Committee on Commerce.

**SENATE BILL NO. 2442, by Senator Rasmussen:**

An Act relating to nonprofit corporations and associations; amending section 30, chapter 235, Laws of 1967 and RCW 24.03.145; amending section 34, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.170; and amending section 7, chapter 115, Laws of 1921 as last amended by section 2, chapter 132, Laws of 1959 and RCW 24.32.070.

Referred to Committee on Local Government.

**SENATE BILL NO. 2443, by Senators Dore and Woodall:**

An Act relating to public employment; and amending section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010.

Referred to Committee on Social and Health Services.

**SENATE BILL NO. 2444, by Senators Bottiger and Washington:**

An Act relating to telephone companies; and adding a new section to chapter 80.36 RCW.

Referred to Committee on Transportation and Utilities.

**SENATE BILL NO. 2445, by Senators Ridder and Connor:**

An Act relating to county employees; and adding a new section to chapter 36.32 RCW. Referred to Committee on Local Government.

**SENATE BILL NO. 2446, by Senators Lewis (Harry), Peterson (Ted) and Mardesich (by Executive 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; making an appropriation; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2447, by Senators Bottiger and Twigg:

An Act relating to lotteries; amending section 98, page 93, Laws of 1854 as last amended by section 212, chapter 249, Laws of 1909 and RCW 9.59.010; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2448, by Senator Donohue:

An Act relating to education; amending section 28A.58.450, chapter 223, Laws of 1969 ex. sess. as amended by section 13, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.450; amending section 28A.58.460, chapter 223, Laws of 1969 ex. sess. as amended by section 14, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.460; amending section 28A.58.480, chapter 223, Laws of 1969 ex. sess. as amended by section 15, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.480; amending section 28A.58.510, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.510; amending section 16, chapter 15, Laws of 1970 ex. sess. and RCW 28A.67.070; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; repealing section 28A.58.500, chapter 223, Laws of 1969 ex. sess., section 71, chapter 81, Laws of 1971 and RCW 28A.58.500; and repealing section 18, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.515.

Referred to Committee on Education.

SENATE BILL NO. 2449, by Senators Woodall, Day and Canfield (by Governor's Task Force on Aging request):

An Act relating to rights of the individual; authorizing the withdrawal of life sustaining mechanisms; adding a new chapter to Title 70 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2450, by Senators Grant, Connor and Stender (by Department of Employment Security request):

An Act relating to unemployment compensation; amending section 4, chapter 35, Laws of 1945 as last amended by section 2, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.030; amending section 19, chapter 35, Laws of 1945 as amended by section 6, chapter 265, Laws of 1951 and RCW 50.04.180; amending section 6, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.355; amending section 60, chapter 35, Laws of 1945 as last amended by section 27, chapter 199, Laws of 1969 ex. sess. and RCW 50.16.010; amending section 62, chapter 35, Laws of 1945 as last amended by section 1, chapter 201, Laws of 1969 ex. sess. and RCW 50.16.030; amending section 68, chapter 35, Laws of 1945 as last amended by section 4, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.010; amending section 2, chapter 1, Laws of 1971 and RCW 50.22.010; amending section 120, chapter 35, Laws of 1945 and RCW 50.32.040; amending section 21, chapter 3, Laws of 1971 and RCW 50.44.040; amending section 22, chapter 3, Laws of 1971 and RCW 50.44.050; amending section 24, chapter 3, Laws of 1971 and RCW 50.44.070; repealing section 8, chapter 1, Laws of 1971 and RCW 50.22.070; repealing section 9, chapter 1, Laws of 1971 and RCW 50.22.080; establishing effective dates; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2451, by Senators Bailey and Lewis (Harry):

An Act relating to property taxes; and amending section 20, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.010.

Referred to Committee on Ways and Means.

SENATE JOINT MEMORIAL NO. 110, by Senator Durkan (by Secretary of State request):

Requesting to the Congress to help Dr. Pat Smith continue her program in Vietnam.

Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 111, by Senators Keefe, Ridder and Stender (by Governor's Task Force on Aging request):

Requesting Congress to take action on health care services for the elderly.  
Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 112, by Senators Van Hollebeke, Keefe and Ridder  
(by Governor's Task Force on Aging request):

Memorializing the need for expanded legislation and financing of medicare.  
Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 113, by Senators Sellar, Jolly and Wanamaker:

Memorializing Congress concerning news coverage of election returns.

Referred to Committee on Constitution and Elections.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2432, 2438 and 2439, also Senate Joint Memorial No. 113.

#### PRESIDENT'S PRIVILEGE

The President: "With the permission of the Senate, the President should like to exercise the privilege of presenting two long-time friends, Doctor Tate Mason, the very famous physician associated with the Mason Clinic in Seattle and who is accompanied by Mr. Robert Isaacson, a noted industrialist of Seattle. Would you gentlemen please stand? Thank you very much."

#### SECOND READING

SENATE BILL NO. 2246, by Senators Walgren, Sandison and Guess:  
Requiring slow moving vehicles to turn off roadways under certain conditions.

#### REPORT OF STANDING COMMITTEE

January 25, 1973.

SENATE BILL NO. 2246, requiring slow moving vehicles to turn off roadways under certain conditions (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8, after "which" strike "three" and insert "five"

On page 1, section 1, line 13, after the period, add "The provisions of this section shall not apply to trucks carrying perishable commodities."

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Whetzel.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendment to page 1, section 1, line 8 was adopted.

Senator Walgren moved adoption of the committee amendment to page 1, section 1, line 13.

#### POINT OF INQUIRY

Senator Donohue: "Would Senator Matson yield? Senator, what are you getting at with this amendment that you placed on in committee pertaining to the perishables?"

Senator Matson: "Senator Donohue, we have a rather small number of special trucks that haul basically perishable fruit. During certain seasons of the year when it is quite warm, if these trucks had to pull off every time three or five cars got behind them they would be hours on the road getting any place. It is not a big problem but I think in this case, of course, it is a necessary amendment."

Senator Donohue: "I cannot understand this because we raise apples too and I did not understand why it was necessary to put it in the bill."

Senator Matson: "I do not think it is in the case of apples but we are talking about peaches and apricots and cherries which are extremely perishable commodities."

Debate ensued.

#### POINT OF INQUIRY

Senator Jolly: "Would Senator Matson yield? Senator Matson, how are these perishable trucks identified? If the state patrol saw one coming down the road and there were five or six cars behind him, they would have to pull him over to be identified? Are they easily identified?"

Senator Matson: "They are very easily identified. Most of them, in fact nearly all of them are the straddle type trucks and carriers. There is nothing else on the road like them. They are a specialty truck for that purpose."

#### POINT OF INQUIRY

Senator Washington: "Will Senator Matson yield? Would it be possible to perhaps tighten the definition of a perishable product? I think the way you have explained it here on the floor there would only be several products involved and yet I can visualize any number of other agricultural products that are only semi-perishable. We do not establish the degree. It seems to me that this amendment might be tightened somewhat so that it could take care of the particular problem you are interested in without making it so broad that many other types of vehicles would be involved."

Senator Matson: "Well that is entirely possible if someone would like to hold the bill over and we can work on that amendment."

#### MOTION

On motion of Senator Lewis (Harry), Senate Bill No. 2246, the adopted committee amendment, and the pending committee amendment were ordered placed at the end of the second reading calendar for today.

#### SECOND READING

SENATE BILL NO. 2111, by Senators Stender, Greive, Connor, Marsh and Dore:  
Implementing law relating to credit unions.

#### REPORT OF STANDING COMMITTEE

January 25, 1973.

SENATE BILL NO. 2111, implementing law relating to credit unions (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 6, beginning on line 22, after "corporation" strike "[to an amount in excess of his shares and deposits in the credit union and the accumulated earnings standing to his credit on the books of the corporation,]" and insert "to an amount in excess of his shares and deposits in the credit union and the accumulated earnings standing to his credit on the books of the corporation [,""

On page 7, section 10, beginning on line 30 after "are" strike "[at the time legal investments for savings and loan associations in this state, except first mortgage real estate loans, or]" and insert "at the time legal investments for savings and loan associations in this state, except first mortgage real estate loans [ , er] which are"

On page 13, section 15, beginning on line 24, after "insolvent" strike all the matter down to and including "union" on line 25.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Newschwander, Walgren.

The bill was read the second time by sections.

Senator Dore moved adoption of the committee amendment to page 5, section 6.

## MOTIONS

On motion of Senator Dore, Senate Bill No. 2111 and the pending committee amendments were ordered held following consideration of Senate Bill No. 2033.

On motion of Senator Odegaard, Senate Bill No. 2033 was ordered to hold its place on the second reading calendar for Monday, February 5, 1973.

## MOTION

At 11:10 a.m., on motion of Senator Mardesich, the Senate adjourned until 10:30 a.m., Monday, February 5, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-NINTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, February 5, 1973.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan, Francis, Guess and Jones. On motion of Senator Keefe, Senator Durkan was excused. On motion of Senator Scott, Senator Jones was excused. There being no objection, Senators Dore, Francis and Guess were excused.

The Color Guard, consisting of Pages John Cleary and Eleanor Bowden, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"GOD, CREATOR AND LAWGIVER, THE MEMBERS OF THIS SENATE ARE SEEKING TO ENACT LAWS FOR THE GOOD OF THE PEOPLE IN THIS STATE. THROUGH THE CENTURIES MEN HAVE ENDURED LAWS MADE BY TYRANTS AND DICTATORS, LAWS THAT WERE CRUEL, UNJUST AND INHUMAN. HERE IN THIS CHAMBER MEN WITH DIFFERENT RELIGIOUS BACKGROUNDS SEEK TO ENACT LAWS THAT ARE JUST AND RESPECT THE BASIC RIGHTS OF EACH INDIVIDUAL. PROSPER THEIR EFFORTS, WE PRAY. AS WE GIVE THANKS FOR PEACE IN VIETNAM AND HOPE BROTHER WILL BE RECONCILED TO BROTHER IN THAT TROUBLED COUNTRY, WE PRAY FOR THY ASSISTANCE IN RECONCILING AND REUNITING US THAT IN SPITE OF OUR POLITICAL DIFFERENCES, WE MAY JOIN TOGETHER IN COMMON EFFORTS TO SERVE ALL THE CITIZENS OF OUR STATE. AMEN."

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 31, 1973.

SENATE BILL NO. 2008, providing that a parent may obtain the address of his children under the care of the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE BILL NO. 2025, changing the amount of money which may be disbursed in the case of a death of a resident at a state institution (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2057, providing for compensation in inverse condemnation cases for loss of value where there is no trespass (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Dore, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2058, permitting service of traffic citations for offenses not witnessed by citing officer (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2069, permitting defense counsel payments in justice courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2071, establishing an additional justice of peace in specified districts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2074, allowing fire district commissioners to waive compensation (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2077, providing for mandatory death penalty in specified cases (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2099, authorizing a fire protection district service charge (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2169, providing that the annual conference of judges may be held outside of the state (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE BILL NO. 2175, providing housing authority with certain additional powers to deal with the developmentally disabled, etc. (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Substitute Senate Bill No. 2175 be substituted therefor and the substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2176, allowing port districts to provide insurance coverage for port commissioners on the same terms as provided for employees (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2179, authorizing use of rental guarantee insurance in place of surety bonds in the lease of port district property (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.



Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley.

Passed to Committee on Rules for second reading.

February 5, 1973.

SENATE BILL NO. 2181, requiring employers who are responsible for illegal work conditions to pay additional compensation to workmen injured thereby (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

February 5, 1973.

SENATE BILL NO. 2187, prohibiting the use of lie detector tests as a condition of employment or continued employment (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Grant, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2220, providing for changes in the billing procedures of the director of general administration (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2235, requiring precinct officers to appear on absentee ballots (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2267, creating the state fire training advisory board (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2282, providing interpreters in legal proceedings to certain persons with speech or hearing impairments (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 2, 1973.

SENATE BILL NO. 2386, enacting the Washington Industrial Safety and Health Act of 1973 (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

January 30, 1973.

SENATE JOINT MEMORIAL NO. 102, requesting congress to allow federally-related public assistance mail to be sent under frank or at negotiated rates (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENTS

February 2, 1973.

SAM KINVILLE, to the position of member of the State Personnel Board, appointed by the Governor on December 29, 1972 for the term ending January 4, 1979, succeeding himself (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Rasmussen, Chairman; Day, Knoblauch, Wanamaker.

Passed to Committee on Rules.

February 2, 1973.

JOHN B. TROUP, to the position of member of the Higher Education Personnel Board, appointed by the Governor on March 24, 1972 for the term ending July 1, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

February 2, 1973.

RAYMOND GARCIA, to the position of member of the Board of Trustees of Central Washington State College, appointed by the Governor on May 11, 1971 for the term ending March 1, 1977, succeeding Joseph Panatoni (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

February 2, 1973.

MRS. NEAL TOURTELLOTTE, to the position of member of the Board of Trustees of Evergreen State College, appointed by the Governor on March 13, 1972 for the term ending March 15, 1978, succeeding herself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

February 2, 1973.

PAUL B. HANSON, to the position of member of the Board of Trustees of Western Washington State College, appointed by the Governor on August 20, 1971 for the term ending March 16, 1978, succeeding Boyd A. Kingsbury (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

February 2, 1973.

JAMES T. QUIGG, to the position of member of the Board of Trustees of Community College District No. 2, appointed by the Governor on January 12, 1973 for the term ending

April 3, 1975, succeeding Oliver Tibbetts (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

MESSAGE FROM THE HOUSE

February 2, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 153,

ENGROSSED HOUSE BILL NO. 171,

HOUSE BILL NO. 183,

HOUSE BILL NO. 194,

HOUSE BILL NO. 195,

HOUSE BILL NO. 233, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

At 10:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 11:25 a.m.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2452, by Senators Bottiger, Knoblauch and Newschwander:

An Act relating to housing and unfit dwellings; and amending section 35.80.030, chapter 7, Laws of 1965 as last amended by section 3, chapter 127, Laws of 1969 ex. sess. and RCW 35.80.030.

Referred to Committee on Local Government.

SENATE BILL NO. 2453, by Senators Guess, Lewis (Harry) and Newschwander:

An Act relating to cities and towns; amending section 35.24.090, chapter 7, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1969 ex. sess. and RCW 35.24.090; and amending section 35.27.130, chapter 7, Laws of 1965 as last amended by section 9, chapter 270, Laws of 1969 ex. sess. and RCW 35.27.130.

Referred to Committee on Local Government.

SENATE BILL NO. 2454, by Senators Bottiger and Grant:

An Act relating to employment agencies; amending section 2, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.020; amending section 4, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.040; amending section 9, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.090; amending section 11, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.110; amending section 14, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.140; amending section 17, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.170; and amending section 20, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.200.

Referred to Committee on Labor.

SENATE BILL NO. 2455, by Senator Talley:

An Act relating to courses in the public schools of the state; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; and providing penalties.

Referred to Committee on Education.

SENATE BILL NO. 2456, by Senators Washington, Guess and Henry:

An Act relating to roads and highways; amending section 36.75.010, chapter 4, Laws of 1963 as amended by section 1, chapter 182, Laws of 1969 ex. sess. and RCW 36.75.010; amending section 46.04.560, chapter 12, Laws of 1961 and RCW 46.04.560; and amending

section 47.04.010, chapter 13, Laws of 1961 as amended by section 42, chapter 145, Laws of 1967 ex. sess. and RCW 47.04.010.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2457, by Senators Peterson (Ted) and Durkan:

An Act relating to law enforcement officers' and fire fighters' retirement system; and adding a new section to chapter 41.26 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2458, by Senators Francis, Washington, Bottiger and Gardner:

An Act relating to gasoline dealers and petroleum distributors; creating a new chapter in Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce.

SENATE BILL NO. 2459, by Senators Bottiger and Scott:

An Act relating to domestic relations; amending section 19, chapter 203, Laws of 1919 and RCW 26.24.190; amending section 3, chapter 291, Laws of 1955 and RCW 26.32.030; amending section 4, chapter 291, Laws of 1955 and RCW 26.32.040; amending section 5, chapter 291, Laws of 1955 and RCW 26.32.050; amending section 8, chapter 291, Laws of 1955 and RCW 26.32.080; amending section 1, chapter 49, Laws of 1903 and RCW 26.37.010; adding new sections to chapter 291, Laws of 1955 and to chapter 26.32 RCW; adding a new section to chapter 49, Laws of 1903 and to chapter 26.37 RCW; adding a new section to chapter 26.28 RCW; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2460, by Senators Peterson (Ted), Greive and Wanamaker:

An Act relating to consumer warranties; creating a new chapter in Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2461, by Senators Ridder and Scott (by Public Pension Commission request):

An Act relating to the state board of investments; amending section 8, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.080; amending section 8, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1955 and RCW 2.12.070; amending section 28A.47.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.210; amending section 28B.20.810, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.810; amending section 36.33.180, chapter 4, Laws of 1963 and RCW 36.33.180; amending section 36.33.190, chapter 4, Laws of 1963 and RCW 36.33.190; amending section 3, chapter 261, Laws of 1945 as last amended by section 19, chapter 6, Laws of 1970 ex. sess. and RCW 41.24.030; amending section 7, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 216, Laws of 1971 ex. sess. and RCW 41.26.070; amending section 5, chapter 10, Laws of 1965 and RCW 43.31.300; amending section 43.31.600, chapter 8, Laws of 1965 and RCW 43.31.600; amending section 43.31.720, chapter 8, Laws of 1965 and RCW 43.31.720; amending section 43.33.025, chapter 8, Laws of 1965 and RCW 43.33.025; amending section 43.43.170, chapter 8, Laws of 1965 as amended by section 2, chapter 12, Laws of 1969 and RCW 43.43.170; amending section 43.43.175, chapter 8, Laws of 1965 and RCW 43.43.175, amending section 43.82.090, chapter 8, Laws of 1965 and RCW 43.82.090; amending section 3, chapter 104, Laws of 1965 ex. sess. and RCW 43.84.031; amending section 43.84.080, chapter 8, Laws of 1965 as last amended by section 1, chapter 16, Laws of 1971 and RCW 43.84.080; amending section 43.84.140, chapter 8, Laws of 1965 and RCW 43.84.140; amending section 47.58.070, chapter 13, Laws of 1961 and RCW 47.58.070; amending section 47.60.100, chapter 13, Laws of 1961 and RCW 47.60.100; amending section 51.44.100, chapter 23, Laws of 1961 as last amended by section 2, chapter 92, Laws of 1972 1st ex. sess. and RCW 51.44.100; amending section 7, chapter 217, Laws of 1945 and RCW 73.12.060; amending section 2, chapter 186, Laws of 1947 and RCW 79.24.100; adding a new section to chapter 41.32 RCW; adding a new section to

chapter 41.40 RCW; adding a new section to chapter 43.84 RCW; adding a new chapter to Title 43 RCW; repealing section 20, chapter 80, Laws of 1947, section 6, chapter 274, Laws of 1955, section 1, chapter 297, Laws of 1961, section 3, chapter 14, Laws of 1963 ex. sess., section 2, chapter 81, Laws of 1965 ex. sess., section 6, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.200; repealing section 8, chapter 155, Laws of 1965, section 3, chapter 128, Laws of 1969 and RCW 41.40.071; repealing section 2, chapter 297, Laws of 1961 and RCW 43.32.201; repealing section 3, chapter 297, Laws of 1961 and RCW 41.32.202; repealing section 43.33.020, chapter 8, Laws of 1965 and RCW 43.33.020; repealing section 1, chapter 104, Laws of 1965 ex. sess., section 1, chapter 2, Laws of 1967 ex. sess. and RCW 43.84.011; and prescribing an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 2462, by Senators Donohue, Scott, Marsh, Greive, Stender, Clarke, Matson, Lewis (Harry), Sellar, Peterson (Ted), Dore, Lewis (Bob), Twigg and Talley:

An Act relating to education; amending section 28B.50.770, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.770; amending section 28B.50.250, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.250; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; creating new sections, and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2463, by Senators Grant, Bailey, Fleming and Stender (by Department of Labor and Industries request):

An Act relating to industrial welfare; amending section 1, chapter 174, Laws of 1913 and RCW 49.12.010; amending section 2, chapter 174, Laws of 1913 and RCW 49.12.020; section 6, chapter 174, Laws of 1913 and RCW 49.12.040; section 7, chapter 174, Laws of 1913 and RCW 49.12.050; section 8, chapter 174, Laws of 1913 and RCW 49.12.060; amending section 13, chapter 174, Laws of 1913 and RCW 49.12.110; amending section 17, chapter 174, Laws of 1913 and RCW 49.12.170; amending section 43.22.260, chapter 8, Laws of 1965 and RCW 43.22.260; amending section 43.22.270, chapter 8, Laws of 1965 and RCW 43.22.270; amending section 43.22.280, chapter 8, Laws of 1965 and RCW 43.22.280; adding new sections to chapter 49.12 RCW; repealing section 3, chapter 174, Laws of 1913 and RCW 49.12.030; repealing section 9, chapter 174, Laws of 1913 and RCW 49.12.070; repealing section 10, chapter 174, Laws of 1913 and RCW 49.12.080; repealing section 11, chapter 174, Laws of 1913 and RCW 49.12.090; repealing section 12, chapter 174, Laws of 1913, section 1, chapter 192, Laws of 1943 and RCW 49.12.100; repealing section 14, chapter 174, Laws of 1913, section 1, chapter 195, Laws of 1949 and RCW 49.12.120; repealing section 19, chapter 174, Laws of 1913 and RCW 49.12.160; repealing section 1, chapter 68, Laws of 1915, section 1, chapter 29, Laws of 1917 and RCW 49.12.190; repealing section 1, page 104, Laws of 1890 and RCW 49.12.215; repealing section 2, page 104, Laws of 1890 and RCW 49.12.217; repealing section 2, chapter 37, Laws of 1911 and RCW 49.12.220; repealing section 3, chapter 37, Laws of 1911 and RCW 49.12.230; repealing section 1, chapter 84, Laws of 1951, section 1, chapter 41, Laws of 1965 and RCW 49.28.070; and prescribing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2464, by Senators Guess and Fleming (by Department of Highways request):

An Act relating to the construction and maintenance of highways; amending section 47.28.030, chapter 13, Laws of 1961 as last amended by section 1, chapter 78, Laws of 1971 ex. sess. and RCW 47.28.030; and amending section 47.28.050, chapter 13, Laws of 1961 as amended by section 1, chapter 180, Laws of 1969 ex. sess. and RCW 47.28.050.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2465, by Senators Henry and Canfield (by Secretary of State request):

An Act relating to elections; amending section 29.04.055, chapter 9, Laws of 1965 and

RCW 29.04.055; amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; amending section 29.13.080, chapter 9, Laws of 1965 as amended by section 13, chapter 101, Laws of 1965 ex. sess. and RCW 29.13.080; 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 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060; and amending section 29.39.030, chapter 9, Laws of 1965 as last amended by section 4, chapter . . . (SB 2021), Laws of 1973 and RCW 29.39.030.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2466, by Senators Walgren and Donohue:

An Act relating to the aircraft fuel excise tax; and amending section 3, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.030.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2467, by Senators Talley, Peterson (Ted) and Day:

An Act relating to public employment; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.030; amending section 3, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.045; amending section 5, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.050; amending section 8, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.080; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090; amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.100; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.110; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 8, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.120; amending section 14, chapter 209, Laws of 1969 ex. sess. as amended by section 9, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.140; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.160; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.200; amending section 4, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.040; amending section 18, chapter 209, Laws of 1969 ex. sess. as amended by section 13, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.190; and declaring an emergency.

Referred to Committee on Local Government.

SENATE BILL NO. 2468, by Senators Rasmussen, Peterson (Lowell), Herr and Woody:

An Act relating to licenses; and amending section 77.32.010, chapter 36, Laws of 1955 as amended by section 1, chapter 245, Laws of 1959 and RCW 77.32.010.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2469, by Senators Gardner, Bottiger and Murray:

An Act relating to school transportation; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2470, by Senators Washington and Metcalf:

An Act relating to revenue and taxation; providing a means for the financing of public transportation facilities; and adding a new chapter to Title 39 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2471, by Senators Day, Peterson (Ted) and Murray:

An Act relating to podiatry; amending section 1, chapter 38, Laws of 1917 as last

amended by section 1, chapter 149, Laws of 1955 and RCW 18.22.010; amending section 13, chapter 52, Laws of 1957 and RCW 18.22.020; amending section 18, chapter 38, Laws of 1917 and RCW 18.22.030; amending section 6, chapter 38, Laws of 1917 as last amended by section 19, chapter 292, Laws of 1971 ex. sess. and RCW 18.22.040; amending section 4, chapter 149, Laws of 1955 and RCW 18.22.050; amending section 14, chapter 52, Laws of 1957 as amended by section 1, chapter 97, Laws of 1965 and RCW 18.22.060; amending section 5, chapter 149, Laws of 1955 and RCW 18.22.070; amending section 3, chapter 97, Laws of 1965 and RCW 18.22.081; amending section 15, chapter 52, Laws of 1957 and RCW 18.22.110; amending section 6, chapter 149, Laws of 1955 as last amended by section 4, chapter 266, Laws of 1971 ex. sess. and RCW 18.22.120; amending section 5, chapter 38, Laws of 1971 and RCW 18.22.130; amending section 8, chapter 149, Laws of 1955 and RCW 18.22.140; amending section 9, chapter 149, Laws of 1955 and RCW 18.22.150; amending section 17, chapter 52, Laws of 1957 and RCW 18.22.160; amending section 15, chapter 38, Laws of 1917 and RCW 18.22.170; amending section 11, chapter 149, Laws of 1955 and RCW 18.22.185; amending section 16, chapter 38, Laws of 1917 and RCW 18.22.200; amending section 10, chapter 38, Laws of 1917 as last amended by section 4, chapter 48, Laws of 1935 and RCW 18.22.210; amending section 14, chapter 149, Laws of 1955 and RCW 18.22.215; amending section 12, chapter 149, Laws of 1955 and RCW 18.22.230; amending section 12, chapter 30, Laws of 1971 ex. sess. and RCW 18.57A.060; amending section 6, chapter 30, Laws of 1971 ex. sess. and RCW 18.71A.060; amending section 43.74.010, chapter 8, Laws of 1965 and RCW 43.74.010; amending section 2, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.037; amending section 43.74.040, chapter 8, Laws of 1965 and RCW 43.74.040; amending section 43.74.080, chapter 8, Laws of 1965 and RCW 43.74.080; amending section 1, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.085; amending section 17, chapter 207, Laws of 1961 and RCW 70.98.170; and prescribing penalties.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 153, by Representatives Gaspard, Kelley, Knowles and Parker:

Providing for distribution of session laws, house journals, and court reports to the University of Puget Sound law school.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 171, by Representatives Martinis, Zimmerman, Jastad, Schumaker, Luders, Adams, Charette, Hansey, Thompson and Ceccarelli (by Interim Committee on Fisheries, Game and Game Fish request):

Enhancing the propagation of wildlife.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 183, by Representatives Kraabel, Eng, Brown and Bauer:

Authorizing school districts to pay travel expenses of certain prospective employees.

Referred to Committee on Education.

HOUSE BILL NO. 194, by Representatives Lysen, Knowles and Kopet:

Including air pollution control authority within the purpose of the interlocal cooperation act.

Referred to Committee on Ecology.

HOUSE BILL NO. 195, by Representatives Perry, Pardini and Williams (by State Finance Committee request):

Providing for the issuance of general obligation bonds under the supervision of the state finance committee for certain building purposes.

Referred to Committee on State Government.

HOUSE BILL NO. 233, by Representatives Maxie, Rabel, Charnley and King (by Joint Committee on Higher Education request):

Correcting inconsistent, deleting obsolete, provisions of higher education code.  
Referred to Committee on Higher Education.

#### MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2033 was ordered to hold its place on the second reading calendar for Tuesday, February 6, 1973.

On motion of Senator Mardesich, Senate Bill No. 2111 and the pending committee amendment to page 5, section 6, which was moved for adoption on Friday, February 2, 1973 was ordered held on the second reading calendar for Tuesday, February 6, 1973.

On motion of Senator Mardesich, Senate Bill No. 2106 was ordered to hold its place on the second reading calendar for Wednesday, February 7, 1973.

#### SECOND READING

SENATE BILL NO. 2246, by Senators Walgren, Sandison and Guess:

Requiring slow moving vehicles to turn off roadways under certain conditions.

The Senate resumed consideration of Senate Bill No. 2246 on second reading. The committee amendment to page 1, section 1, line 8 having been adopted on February 2, 1973. Senator Lewis (Harry) moved on February 2, 1973 that the committee amendment to page 1, section 1, line 13 be adopted.

On motion of Senator Whetzel, the following amendment to the committee amendment was adopted:

Amend the committee amendment to page 1, section 1, line 13, as follows: After "commodities" on the last line of the amendment insert "as defined by the highway commission"

The President declared the question before the Senate to be the adoption of the committee amendment to page 1, section 1, line 13, as amended.

The committee amendment, as amended, was not adopted on a rising vote.

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2246 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2246 and the bill passed the Senate by the following vote: Yeas, 26; nays, 17; absent or not voting, 1; excused, 5.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Fleming, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Murray, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Wanamaker, Washington—26.

Voting nay: Senators Atwood, Bottiger, Gardner, Grant, Greive, Lewis (Harry), Matson, Metcalf, Newschwander, Odegaard, Scott, Sellar, Twigg, Van Hollebeke, Whetzel, Woodall, Woody—17.

Absent or not voting: Senator Stender—1.

Excused: Senators Dore, Durkan, Francis, Guess, Jones—5.

ENGROSSED SENATE BILL NO. 2246, having received the 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 Donohue and Walgren:

Providing for a second bridge across the Snake River funded with federal money.

The memorial was read the second time in full.

On motion of Senator Donohue, the rules were suspended, Senate Joint Memorial No.



106 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 106, and the memorial passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Absent or not voting: Senator Stortini—1.

Excused: Senators Dore, Durkan, Francis, Guess, Jones—5.

SENATE JOINT MEMORIAL NO. 106, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2136, by Senators Wanamaker, Guess and Washington (by Legislative Transportation Committee request):

Directing priority programming by the highway commission.

REPORT OF STANDING COMMITTEE

January 25, 1973.

SENATE BILL NO. 2136, directing priority programming by the highway commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "legislature" strike "thirty days before" and insert "at the time"

On page 1, section 1, line 23, after "legislature" insert "convenes"

On page 6, section 5, line 12, after "Prior to" strike "July 1, [1971] 1975" and insert "*October 1 of each even-numbered year [July 1, 1971]*"

On page 8, section 7, line 5, after "*expenditures*" strike "*and performance*" and insert "*, performance and public service*"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Rasmussen, Sellar, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2136 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Clarke: "Would Senator Wanamaker yield? What if any effect would this enactment have upon the proposed third bridge across Lake Washington? If, for instance, the other impediments are removed and the go-ahead is received for that bridge, would it then be permissible under this bill for the Highway Commission to adopt other priorities or would this have any effect upon that particular project?"

Senator Wanamaker: "It would have no effect on that particular project nor would it change any other project. It is still up to the Highway Commission and they would not be able to divert. That has already been gone through. It would make no difference in this present biennium."

Senator Clarke: "If I understand you correctly that money has already been allocated and could not be diverted even with the passage of this bill."

Senator Wanamaker: "That is right."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2136 and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Absent or not voting: Senator Stortini—1.

Excused: Senators Dore, Durkan, Francis, Guess, Jones—5.

ENGROSSED SENATE BILL NO. 2136, having received the 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. 2146, by Senators Gardner, Sellar, Walgren and Twigg (by Municipal Committee request):

Permitting the chief of the Washington state patrol to employ special deputies.

#### REPORT OF STANDING COMMITTEE

January 22, 1973.

SENATE BILL NO. 2146, permitting the chief of the Washington state patrol to employ special deputies (reported by Committee on State Government):

Recommendation: Do pass with the following amendments:

In section 1, line 13, after "*employees*" and before "*the*" strike "*to*" and insert "*of*".

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendment was adopted.

On motion of Senator Gardner, the following amendment was adopted:

On page 1, section 1, line 17, after "*not*" and before "*qualify*" strike "*be deemed to*" and on line 19 after "*it*" and before "*grant*" strike "*be construed to*"

On motion of Senator Gardner, the rules were suspended, Engrossed Senate Bill No. 2146 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Mr. President, with the purpose of getting Senator Gardner's testimony in the record, I would like to have the permission of the Senate to ask him a question. Senator Gardner, would you describe the intent of the legislation before us please."

Senator Gardner: "The intent of the legislation is twofold. One, within the state department there is a drug detection unit and currently in work pursuing drug distribution problems the state patrol has not had the authority to deputize its agents to go in to perform a specialized form of work. The local sheriff and state municipal and municipal chiefs have requested that the chief of the state patrol be allowed to do this deputization himself. And the intent of the bill is that employees that are currently on the payroll, not new employees, will be deputized in certain specific circumstances to perform specific duties which when completed will then be taken off of the deputization."

"There is a second intent to the bill which is with terms of the weight control stations around the state. These weight control personnel have been issuing citations but it is pretty clear in the law that they are not by law authorized to do so. This would in essence clear that problem up."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2146 and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Excused: Senators Dore, Durkan, Francis, Guess, Jones—5.

ENGROSSED SENATE BILL NO. 2146, having received the 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. 2053, by Senators Grant, Durkan and Matson:  
Changing date for organizational meeting of county central committees.

#### REPORT OF STANDING COMMITTEE

January 22, 1973.

SENATE BILL NO. 2053, changing date for organizational meeting of county central committees (reported by Committee on Constitution and Elections):

Recommendation: Do pass with the following amendments:

In section 1, beginning on line 10, after "organization at" strike "the county court house at two o'clock p.m." and insert "[the county court house at two o'clock p.m.] *an easily accessible location within the county with the meeting commencing between the hours of 9:00 a.m. and 2:00 p.m.*"

In section 1, line 12, after "election" and before "[unless]" insert "*in the odd-numbered year*"

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendments were not adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 1, line 9, after "county." strike all the material down to and including "notice]." on line 17 and insert: "[This committee shall meet for the purpose of organization at the county court house at two o'clock p.m. on the second Saturday in December after each state general election unless some other time and place are designated by a sufficient notice to all the newly elected committeemen by the authorized officers of the retiring committee. For the purpose of this paragraph, a notice mailed at least seventy-two hours prior to the date of the meeting shall constitute sufficient notice.] *Following each state general election held in even-numbered years, this committee shall meet for the purpose of organization at an easily accessible location within the county, subsequent to the certification of precinct committeemen by the county auditor and no later than the second Saturday of the following January. The authorized officers of the retiring committee shall cause notice of the time and place of such meeting to be mailed to each precinct committeeman at least seventy-two hours prior to the date of the meeting.*"

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2053 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Grant yield to a question? Senator Grant, I note in the last paragraph it says they shall elect a chairman and a vice chairman who must be of opposite sexes. My question is this, in the event that a woman were to be elected chairman, would this be discrimination against women if some other woman could not be elected vice chairman?"

Senator Grant: "That is the present law, Senator Rasmussen, that they must be of opposite sexes, and I do not think there would be any problem. There would be equal representation."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2053, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Durkan, Francis, Guess, Jones—4.

ENGROSSED SENATE BILL NO. 2053, having received the 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. 2331, by Senators Washington, Sellar and Twigg (by Joint Committee on Education request):

Implementing the law relating to joint school districts.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 2331 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2331, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Durkan, Francis, Guess, Jones—4.

SENATE BILL NO. 2331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Sandison, the appointment of DR. GLENN TERRELL as a member of the Western Interstate Commission on Higher Education was confirmed.

## APPOINTMENT OF DR. GLENN TERRELL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Excused: Senators Durkan, Francis, Guess, Jones-4.

## MOTION

On motion of Senator Sandison, the appointment of JAMES FURMAN as a member of the Western Interstate Commission on Higher Education was confirmed.

## APPOINTMENT OF JAMES FURMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Excused: Senators Durkan, Francis, Guess, Jones-4.

## REMARKS BY SENATOR LEWIS

Senator Lewis (Harry): "Mr. President and members of the Senate, with the permission of the Senate I would like the record to show that Senator Guess, who was excused today, is attending a committee meeting in Phoenix, Arizona, which is writing an interstate compact on workman's compensation. Senator Guess is the only representative on the committee from the Northwest and I would like to have that in the record, with the permission of the Senate."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President and members of the Senate, the members of the State Government Committee would like a little additional time, about one week, to consider the changes in the Nixon resolution. We have had considerable difficulty contacting the Executive. He has been flitting from Biscayne to California and Kissinger is on his way and we are not able to contact him, but we are working very fast on that project and it just is going to take a little more time. If the Senate would grant us an additional week."

Debate ensued.

There being no further objection, the Senate Committee on State Government was given an additional week to consider Senate Resolution 1973-15.

## MOTION

At 12:35 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, February 6, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTIETH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 6, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Francis, Guess, Jones and Walgren. On motion of Senator Donohue, Senator Walgren was excused. On motion of Senator Woody, Senator Francis was excused. On motion of Senator Lewis (Harry), Senator Jones was excused. Senator Guess had been excused on February 5, 1973 to attend a conference in Arizona on February 5 and 6, 1973.

The Color Guard, consisting of Pages Philip Devitte and Diane Simonton, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"GOD, CREATOR AND FATHER OF US ALL, YOU ARE THE GIVER OF UNITY. WE SEE IN THE HUMAN FAMILY THE TERRIBLE CONSEQUENCES OF DISUNITY COMPOUNDED BY RELIGIOUS PREJUDICE IN THE MIDDLE EAST AND IN NORTHERN IRELAND. HELP THE MEMBERS OF THIS LEGISLATURE TO OVERCOME THE PREJUDICES DEEP DOWN IN ALL OF US, THAT WE TRY TO HIDE EVEN FROM OURSELVES, PREJUDICES WHICH MANIFEST THEMSELVES IN THE LAWS WE SEEK TO HAVE ENACTED, IN THE LAWS THAT WE DO NOT LEGITIMATELY SEEK TO CHANGE. GIVE US THY SPIRIT LORD, TO HELP US TO UNDERSTAND THE NEEDS OF OTHERS AND NEVER TO USE RELIGION, BUSINESS FELLOWSHIP, OR POLITICAL POWER TO INTERFERE WITH THE RIGHTS WITH WHICH ALL PEOPLE ARE ENDOWED BY YOU, OUR CREATOR. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 5, 1973.

SENATE BILL NO. 2166, establishing a state-wide system of libraries (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended and that the bill be referred to the Committee on Ways and Means.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley, Walgren, Whetzel.

There being no objection, Senate Bill No. 2166 was referred to the Committee on Ways and Means.

February 5, 1973.

SENATE BILL NO. 2190, granting the power of initiative and referendum to the voters in noncharter code cities (reported by Committee on Constitution and Elections):

Recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 3, 1973.

SENATE BILL NO. 2251, setting requirements for corporate names for miscellaneous and mutual corporations (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 3, 1973.

SENATE BILL NO. 2252, eliminating the filing requirement for articles of incorporation by a foreign corporation (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Woodall.

Passed to Committee on Rules for second reading.

February 3, 1973.

SENATE BILL NO. 2253, authorizing filing of annual report by domestic and foreign corporations which substantially complies with statute (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 3, 1973.

SENATE BILL NO. 2258, changing the date for filing of annual reports by miscellaneous and mutual corporations to March first of each year (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

January 31, 1973.

SENATE BILL NO. 2278, restricting use of abstracts of driving experience for insurance purposes (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 3, 1973.

SENATE BILL NO. 2400, raising service of process fee for non-resident corporation doing business in Washington from two to five dollars (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Twigg.

Passed to Committee on Rules for second reading.

January 31, 1973.

SENATE JOINT MEMORIAL NO. 107, requesting the Congress to make the proposed Tacoma Spur a part of the National System of Interstate Highways (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 107 be substituted therefor and the substitute memorial do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Jolly, Knoblauch, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

#### MOTION

At 9:35 a.m., on motion of Senator Bailey, the Senate recessed until 10:15 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:15 a.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2472, by Senator Grant:

An Act relating to the registration of voters; amending section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010; amending section 29.07.080, chapter 9, Laws of 1965 as amended by section 10, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.080; repealing section 29.07.020, chapter 9, Laws of 1965, as amended by section 5, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.020; repealing section 29.07.040, chapter 9, Laws of 1965, as amended by section 6, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.040; repealing section 29.07.050, chapter 9, Laws of 1965, section 7, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.050; repealing section 29.07.060, chapter 9, Laws of 1965, section 8, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.060; repealing section 29.07.070, chapter 9, Laws of 1965, section 9, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.070; repealing section 29.07.090, chapter 9, Laws of 1965, section 11, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.090; repealing section 29.07.100, chapter 9, Laws of 1965, section 13, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.100; repealing section 29.07.105, chapter 9, Laws of 1965, section 14, chapter 202, Laws of 1971 and RCW 29.07.105; repealing section 29.07.110, chapter 9, Laws of 1965, section 15, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.110; and repealing section 23, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.115.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2473, by Senators Day and Scott:

An Act relating to the practice of massage; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2474, by Senators Lewis (Harry) and Rasmussen:

An Act relating to public employment; 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.

SENATE BILL NO. 2475, by Senators Bottiger and Clarke (by Secretary of State request):

An Act relating to nonprofit corporations; and amending section 83, chapter 235,



Laws of 1967 as amended by section 6, chapter 163, Laws of 1969 ex. sess. and RCW 24.03.410.

Referred to Committee on State Government.

SENATE BILL NO. 2476, by Senators Woody, Grant and Atwood:

An Act relating to the judiciary; and adding a new section to chapter 3.38 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2477, by Senators Woody and Clarke (by Secretary of State request):

An Act relating to corporations; and amending section 4, chapter 92, Laws of 1969 ex. sess. as amended by section 1, chapter 142, Laws of 1971 ex. sess. and RCW 23A.40.075.

Referred to Judiciary Committee.

SENATE BILL NO. 2478, by Senators Henry, Peterson (Lowell) and Talley:

An Act relating to county roads; and amending section 36.77.060, chapter 4, Laws of 1963 and RCW 36.77.060.

Referred to Committee on Local Government.

SENATE BILL NO. 2479, by Senator Matson:

An Act relating to placing certain school district certificated employees within the public employees' collective bargaining act; amending section 1, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.010; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 3, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.030; repealing sections 28A.72.010, 28A.72.020, 28A.72.030, 28A.72.050, 28A.72.080 and 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010, 28A.72.020, 28A.72.030, 28A.72.050, 28A.72.080 and 28A.72.090; and repealing sections 28A.72.060 and 28A.72.070, chapter 223, Laws of 1969 ex. sess. and sections 3 and 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060 and 28A.72.070.

Referred to Committee on Labor.

SENATE BILL NO. 2480, by Senators Henry, Peterson (Lowell) and Talley:

An Act relating to counties; and amending section 3, chapter 288, Laws of 1927 as last amended by section 1, chapter 224, Laws of 1971 ex. sess. and RCW 76.12.030.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2481, by Senators Woody, Herr, Lewis (Harry) and Fleming:

An Act relating to business regulation; amending section 3, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.120; amending section 4, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.130; amending section 14, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.230; amending section 27, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.360; amending section 31, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.400; amending section 34, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.430; amending section 35, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.440; adding a new section to chapter 19.16 RCW; repealing section 26, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.350; and repealing section 28, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.370.

Referred to Committee on Commerce.

SENATE BILL NO. 2482, by Senators Grant, Woodall, Mardesich, Woody, Jolly, Rasmussen and Day:

An Act relating to state government; amending section 16, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.160; and declaring an emergency.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2483, by Senator Guess:

An Act relating to the institutional industries commission; and amending section 72.60.190, chapter 28, Laws of 1959 and RCW 72.60.190.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2484, by Senators Grant and Connor:

An Act relating to self-insurers; and amending section 28, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.030.

Referred to Committee on Labor.

SENATE BILL NO. 2485, by Senator Grant:

An Act relating to elections; amending section 29.10.080, chapter 9, Laws of 1965 as last amended by section 28, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.080; amending section 29.81.140, chapter 9, Laws of 1965 as amended by section 7, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.140; and repealing section 8, chapter 156, Laws of 1965 ex. sess., section 36, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.160.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2486, by Senators Guess and Henry:

An Act relating to the institutional industries commission; and amending section 72.60.200, chapter 28, Laws of 1959 and RCW 72.60.200.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2487, by Senators Grant and Stortini:

An Act relating to elections; and amending section 6, chapter 156, Laws of 1965 ex. sess. as amended by section 3, chapter 202, Laws of 1971 ex. sess. and RCW 29.04.100.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2488, by Senators Van Hollebeke, Woody, Atwood, Mardesich, Greive, Walgren and Twigg:

An Act relating to motor vehicles; and amending section 1, chapter 1, Laws of 1961 and RCW 46.20.308.

Referred to Judiciary Committee.

SENATE BILL NO. 2489, by Senators Day and Scott:

An Act relating to nursing homes.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2490, by Senators Durkan, Matson, Mardesich, Fleming, Bottiger, Whetzel, Walgren, Gardner, Murray, Francis, Twigg, Washington, Greive and Woodall (by Executive request):

An Act relating to special proceedings; providing benefits to victims of crime; adding a new section to Title 7 RCW; repealing section 1, chapter 72, Laws of 1972 ex. sess. and RCW 72.66.100; and prescribing an effective date.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Greive, the rules were suspended and the names of Senators Greive and Woodall were added as additional sponsors to Senate Bill No. 2490.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2482, 2488 and 2490.

#### MOTION

On motion of Senator Lewis (Harry), Senate Bill No. 2033 was ordered to hold its place on the second reading calendar for Wednesday, February 6, 1973.

#### SECOND READING

SENATE BILL NO. 2111, by Senators Stender, Greive, Connor, Marsh and Dore:  
Implementing law relating to credit unions.

The Senate resumed consideration of Senate Bill No. 2111 on second reading. On Friday, February 2, 1973, Senator Dore had moved adoption of the committee amendment to page 5, section 6, beginning on line 22.

The motion by Senator Dore carried and the committee amendment was adopted.

Senator Dore moved adoption of the committee amendment to page 7, section 10, beginning on line 30.

On motion of Senator Dore, the following amendment to the committee amendment was adopted:

Amend the committee amendment to page 7, section 10, line 30 as follows:

In line 6 of the amendment, after "loans" strike "[, or]" and insert ", or"

The President declared the question before the Senate to be the adoption of the committee amendment to page 7, section 10, beginning on line 30, as amended.

Debate ensued.

#### MOTION

On motion of Senator Rasmussen, Senate Bill No. 2111, the adopted committee amendment to page 5, section 6, beginning on line 22 and the pending committee amendment to page 7, section 10, beginning on line 30, as amended, was ordered to hold its place on the second reading calendar for Wednesday, February 7, 1973.

#### SECOND READING

SENATE BILL NO. 2174, by Senators Walgren, Sandison, Twigg and Stortini (by Joint Committee on Higher Education and by Municipal Committee request):

Setting forth minimum standards for police forces of state colleges and universities.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Senate Bill No. 2174 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

At 10:40 a.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

There being no objection, Senators Odegaard, Day, Marsh and Greive were excused.

#### MOTION

On motion of Senator Mardesich, the Senate commenced consideration of gubernatorial appointments.

#### CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Sandison, the appointment of JOHN B. TROUP as a member of the Higher Education Personnel Board was confirmed.

#### APPOINTMENT OF JOHN B. TROUP

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 41; absent or not voting, 2; excused, 6.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Absent or not voting: Senators Atwood, Murray—2.

Excused: Senators Day, Greive, Guess, Jones, Marsh, Odegaard—6.

#### MOTION

On motion of Senator Rasmussen, the appointment of SAM KINVILLE as a member of the State Personnel Board was confirmed.

#### APPOINTMENT OF SAM KINVILLE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 42; absent or not voting, 1; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senator Murray—1.

Excused: Senators Day, Greive, Guess, Jones, Marsh, Odegaard—6.

#### PERSONAL PRIVILEGE

Senator Lewis (Harry): "Members of the Senate, I have had circulated on your desks the amendment to Senate Bill No. 2033 which we have held on the calendar until tomorrow. Because the amendments are quite lengthy I asked that they be circulated today. This is the bill that has to do with punch card voting and these are amendments that were prepared to clarify this situation. I would suggest that you look them over ahead of the session tomorrow."

#### POINT OF INQUIRY

Senator Dore: "Would Senator Lewis yield to a question? These amendments are quite long and complicated. I wonder if it would not be good procedure to send it back to the committee and to have the committee do it rather than try to labor through it here on the floor."

Senator Lewis (Harry): "Senator Dore, I discussed this with the sponsor, Senator Odegaard, as well as members of both caucuses here in the Senate. I have enclosed a digest of the floor amendment. The floor amendment, while it is lengthy, is really in reality quite a simple one. I have no great desire to hold up the legislation and it was Senator Odegaard's feeling that we should try to handle this amendment on the floor. However, if you feel it is such that it should be considered by the committee, I have no objection but I would suggest you check with your own caucus member, Senator Odegaard."

#### NOTICE FROM SENATOR WASHINGTON

Senator Washington served notice that on Thursday, February 8, 1973 he would move for consideration by the Senate of a Rule change. Senator Washington had previously served notice that he would move for consideration on Tuesday, February 6, 1973.

#### MOTION

Senator Woodall moved adoption of the following resolution:

## SENATE RESOLUTION 1973-20

By Senators Guess, Woodall, Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody:

WHEREAS, Senator John C. Stennis was recently a victim of a vicious and outrageous criminal assault and robbery outside of his home in Washington, D.C.; and

WHEREAS, Senator Stennis has been an encouraging example to his constituency, the citizens of Mississippi; and

WHEREAS, Senator Stennis has unselfishly served his country in the United States Senate since 1947; and

WHEREAS, In these years, he has become the Chairman of the Armed Services Committee and has been a leader in instituting many beneficial reforms; and

WHEREAS, He is a ranking and powerful member of the Appropriations Committee in which position he has brought honor to himself and his family;

NOW, THEREFORE BE IT RESOLVED, That the Senate of the state of Washington condemns this illegal assault on a public servant and that the Senate conveys its deepest sympathy to Senator and Mrs. Stennis with the hope that the Senator, with the help of God, will make a speedy recovery so he can return in good health to continue to serve his country;

BE IT FURTHER RESOLVED, That the Secretary of the Senate be and he is hereby instructed to prepare and forward a copy of this resolution to Senator Stennis at Walter Reed Hospital and to Mrs. John Stennis at their home in Washington, D.C.

## MOTION

On motion of Senator Woodall, the following amendment by Senator Guess was adopted:

On line 22 of the resolution, after "to" and before "Mrs." insert "Senator Stennis at Walter Reed Hospital and to"

## MOTION

On motion of Senator Mardesich, the names of all Senators were added as sponsors to Senate Resolution 1973-20.

The motion by Senator Woodall carried and the resolution, as amended, was unanimously adopted.

## MOTION

On motion of Senator Stender, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-22

By Senators Connor, Keefe, Murray, Peterson (Ted), Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, For the past seven years the Variety Club, Seattle Tent 46, has sponsored a Telethon for the purpose of raising funds to assist children in need of aid; and

WHEREAS, This worthwhile project, which appears on KIRO-TV Channel 7 each year, has provided much assistance to sick and handicapped children during the past seven years; and

WHEREAS, During 1972, the Telethon received pledges for \$320,000 which were used to aid handicapped children; and

WHEREAS, This year the Telethon will appear on Channel 7 in Seattle on February 10 and 11, 1973; and

WHEREAS, The funds raised by this worthwhile event will be distributed to the Birth Defects Unit of the University of Washington and to the Children's Orthopedic Hospital; and

WHEREAS, The members of the Senate of the State of Washington are appreciative of the efforts of the Variety Club, past and present, and wish to encourage participation in and donations to the Telethon scheduled this year;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington does hereby extend its most sincere appreciation to the Variety Club and to KIRO-TV Channel 7 for undertaking the organization and presentation of the Telethon scheduled for February 10 and 11 this year; and

BE IT FURTHER RESOLVED, That the general public is hereby encouraged to participate in and to contribute to the Telethon so the underprivileged children may receive the needed benefits provided for by the program;

BE IT FURTHER RESOLVED, That the Secretary of the Senate be and he is hereby instructed to prepare and forward copies of this resolution to KIRO-TV and the Variety Club, Tent 46.

#### MOTIONS

On motion of Senator Mardesich, the names of all Senators present were added as sponsors to Senate Resolution 1973-22.

On motion of Senator Sandison, Senate Bill No. 2174 was ordered placed on the third reading calendar for Wednesday, February 7, 1973.

On motion of Senator Mardesich, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2072, by Senators Bottiger, Walgren and Talley:

Authorizing city treasurer to prepare warrants for beneficiaries of service retirement pensions.

#### REPORT OF STANDING COMMITTEE

January 22, 1973.

SENATE BILL NO. 2072, authorizing city treasurer to prepare warrants for beneficiaries of service retirement pensions (reported by Committee on Local Government):

Recommendation: Do pass as amended.

On page 1, section 1, line 12, after "41.20.050" insert "41.20.060, 41.20.080 and 41.20.085"

On page 1, section 1, line 18, after "41.20.050" insert "41.20.060, 41.20.080 and 41.20.085".

On page 1, section 1, line 27, after "41.20.050" insert "41.20.060, 41.20.080 and 41.20.085".

On page 2, after "business." on line 4, add a new section to read as follows:

"Sec. 2. Section 1, chapter 82, Laws of 1963 as amended by section 27, chapter 209, Laws of 1969 ex. sess. and RCW 41.20.170 are each amended to read as follows:

Any former employee of a [harbor] department of a city of the first class [that has been abolished and has had its functions included within the police department of such city] who (1) [is] was a member of the employees' retirement system of such city, and (2) is now employed within the police department of such city, may transfer his membership from the city employees' retirement system to the city's police relief and pension fund system by filing a written request with the board of administration and the board of trustees, respectively, of the two systems.

Upon the receipt of such request, the transfer of membership to the city's police relief and pension fund system shall be made, together with a transfer of all accumulated contributions credited to such member. The board of administration of the city's employees' retirement system shall transmit to the board of trustees of the city's police relief and pension fund system a record of service credited to such member which shall be computed and credited to such member as a part of his period of employment in the city's police relief and pension fund system. *For the purpose of the transfer contemplated by this section, the affected individuals shall be allowed to restore withdrawn contributions to the city employees' retirement system and reinstate their membership service records.*

Any employee so transferring shall have all the rights, benefits and privileges that he would have been entitled to had he been a member of the city's police relief and pension fund system from the beginning of his employment with the city.

No person so transferring shall thereafter be entitled to any other public pension, except *that provided by chapter 41.26 RCW* or social security, which is based upon service with the city.

The right of any employee to file a written request for transfer of membership as set forth herein shall expire December 31, [1969] 1973."

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley, Walgren, Whetzel.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendments to page 1 were adopted.

On motion of Senator Ridder, the committee amendment to page 2 was adopted.

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 2072 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2072, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Excused: Senators Day, Greive, Guess, Jones, Marsh, Odegaard—6.

ENGROSSED SENATE BILL NO. 2072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

##### MOTION

On motion of Senator Peterson (Lowell), the appointment of HAROLD E. LOKKEN as a member of the Pacific Marine Fisheries Commission was confirmed.

##### APPOINTMENT OF HAROLD E. LOKKEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini,

Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Excused: Senators Day, Greive, Guess, Jones, Marsh, Odegaard—6.

#### MOTION

On motion of Senator Rasmussen, the appointment of JACK D. MULLIN as a member of the State Personnel Board was confirmed.

#### APPOINTMENT OF JACK D. MULLIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Excused: Senators Day, Greive, Guess, Jones, Marsh, Odegaard—6.

#### MOTIONS

On motion of Senator Peterson (Lowell), the Senate Committee on Natural Resources was relieved of further consideration of House Bill No. 171.

On motion of Senator Peterson (Lowell), House Bill No. 171 was referred to the Committee on Ways and Means.

At 2:05 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, February 7, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



**THIRTY-FIRST DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Wednesday, February 7, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Gary Baker and Jami Pavel, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"GOD OUR CREATOR, LORD OF HISTORY, WE PAUSE TODAY AND LOOK BACK ACROSS THE CENTURIES TO THE JOURNEY OF OUR SPIRITUAL FOREFATHERS FROM EGYPT TO THE PROMISED LAND. WE RECALL HOW THEY WERE ATTACKED BY THE AMALEKITES AND WE READ THAT 'AS LONG AS MOSES KEPT HIS HANDS RAISED UP IN PRAYER, ISRAEL HAD THE BETTER OF THE FIGHT'.

"WE GIVE THANKS LORD, THAT WE HAVE MEN IN THIS LEGISLATURE WHO UNDER ATTACK FROM A MULTITUDE OF PRESSURES PAUSE BEFORE THE STRUGGLE WITH THE DECISION MAKING PROCESS THAT IS PRESENTED TO THEM EACH DAY AND DAILY IMITATE MOSES BY TURNING TO YOU IN PRAYER.

"LISTEN TO OUR WORDS ON THEIR BEHALF AS YOU DID TO MOSES AT REPHIDIM IN THE DESERT AND GRANT THESE LEGISLATORS VICTORY OVER DISCOURAGEMENT AND DISAPPOINTMENT. GIVE THEM PATIENCE IN DEBATE, WISDOM TO DECIDE WHAT IS BEST FOR THE PEOPLE THEY HAVE BEEN CHOSEN TO REPRESENT. AMEN."

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

February 6, 1973.

SENATE BILL NO. 2101, relating to the regulation and licensing of plumbers (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2183, relating to licensing journeymen electricians (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2415, defining "ground waters" (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Murray, Stortini, Van Hollebeke, Whetzel.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE CONCURRENT RESOLUTION NO. 110, providing for a study on grass seed production (reported by Committee on Agriculture):

Recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Day, Donohue, Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

February 6, 1973.

STEWART BLEDSOE, to the position of Director of the State Department of Agriculture, appointed by the Governor on January 24, 1973 for the term ending at the Governor's pleasure, succeeding Cameron Adams (reported by the Committee on Agriculture):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 10:35 a.m.

#### MESSAGE FROM THE GOVERNOR

#### GUBERNATORIAL APPOINTMENT

Office of the Governor, January 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Leroy M. Hittle, appointed January 9, 1973, for a term ending January 15, 1982, succeeding himself as a member of the Washington State Liquor Control Board.

Sincerely,

DANIEL J. EVANS  
Governor.

Referred to Committee on State Government.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2491, by Senators Durkan, Matson, Gardner, Bottiger, Whetzel, Mardesich, Fleming, Walgren, Scott, Twigg and Washington (by Executive request):

An Act relating to adult probation services; authorizing the department of social and health services to make payment of state funds to counties for special adult supervision programs; creating a new chapter in Title 9 RCW; and prescribing an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2492, by Senator Matson (by Department of Agriculture request):

An Act relating to the Washington uniform food, drug, and cosmetic act; amending section 29, chapter 257, Laws of 1945 and RCW 69.04.110; amending section 3, chapter 198, Laws of 1963 and RCW 69.04.392; amending section 4, chapter 198, Laws of 1963 and RCW 69.04.394; amending section 6, chapter 198, Laws of 1963 and RCW 69.04.396; and adding a new section to chapter 69.04 RCW.

Referred to Committee on Agriculture.

SENATE BILL NO. 2493, by Senators Woodall, Rasmussen and Matson:

An Act relating to the lease and rental of property; and creating a new chapter in Title 59 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2494, by Senators Matson and Woodall:

An Act relating to public recreation, sports, culture and convention centers; amending section 5, chapter 236, Laws of 1967 and RCW 67.28.120; amending section 6, chapter 236, Laws of 1967 and RCW 67.28.130; amending section 9, chapter 236, Laws of 1967 and RCW 67.28.160; amending section 10, chapter 236, Laws of 1967 and RCW 67.28.170; amending section 11, chapter 236, Laws of 1967 as amended by section 1, chapter 89, Laws of 1970 ex. sess. and RCW 67.28.180; amending section 14, chapter 236, Laws of 1967 as amended by section 3, chapter 89, Laws of 1970 ex. sess. and RCW 67.28.210; and declaring an emergency.

Referred to Committee on Local Government.

SENATE BILL NO. 2495, by Senators Rasmussen, Peterson (Lowell) and Peterson (Ted):

An Act relating to fish; adding new sections to chapter 12, Laws of 1955 and to chapter 75.12 RCW; repealing section 1, chapter 23, Laws of 1969 ex. sess. and RCW 75.12.650; declaring an emergency; and making an effective date.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2496, by Senator Fleming:

An Act relating to public assistance; and amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.005.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2497, by Senators Bottiger, Lewis (Harry) and Gardner:

An Act relating to computation of vacation leave; and amending section 43.01.040, chapter 8, Laws of 1965 as amended by section 1, chapter 13, Laws of 1965 ex. sess. and RCW 43.01.040.

Referred to Committee on State Government.

SENATE BILL NO. 2498, by Senators Grant, Bottiger and Stender:

An Act relating to elections; and amending section 29.33.220, chapter 9, Laws of 1965 as amended by section 1, chapter 124, Laws of 1971 ex. sess. and RCW 29.33.220.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2499, by Senator Herr:

An Act relating to the creation and organization of the county of Evergreen, subject to the requirements of the state Constitution and the statutes in respect to the establishment of new counties; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2500, by Senators Odegaard, Lewis (Harry) and Grant:

An Act relating to registration of voters; amending section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010. Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2501, by Senators Woody, Peterson (Lowell) and Twigg:

An Act relating to public lands; providing for access to certain easements for certain recreational uses; and amending section 97, chapter 255, Laws of 1927 as last amended by section 7, chapter 73, Laws of 1961 and RCW 79.01.388.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2502, by Senators Francis, Whetzel and Henry (by Washington State Women's Council request):

An Act relating to equal rights; amending section 3, chapter 229, Laws of 1937 as last amended by section 5, chapter 30, Laws of 1971 and RCW 2.12.030; amending section 2, chapter 123, Laws of 1917 and RCW 4.20.020; amending section 495, page 220, Laws of 1854 as last amended by section 1, chapter 156, Laws of 1927 and RCW 4.20.060; amending section 9, page 4, Laws of 1869 as last amended by section 1, chapter 81, Laws of 1967 ex. sess. and RCW 4.24.010; amending section 10, page 4, Laws of 1869 as last amended by section 10, Code of 1881 and RCW 4.24.020; amending section 2, chapter 64, Laws of 1895 and RCW 6.12.020; amending section 3, chapter 64, Laws of 1895 and RCW 6.12.030; amending section 30, chapter 64, Laws of 1895 and RCW 6.12.040; amending section 31, chapter 64, Laws of 1895 and RCW 6.12.060; amending section 21, chapter 64, Laws of 1895 and RCW 6.12.260; amending section 25, chapter 64, Laws of 1895 as last amended by section 5, chapter 292, Laws of 1971 ex. sess. and RCW 6.12.290; amending section 2, chapter 57, Laws of 1897 as amended by section 6, chapter 292, Laws of 1971 ex. sess. and RCW 6.16.010; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 89, Laws of 1965 and RCW 6.16.020; amending section 252, page 178, Laws of 1854 as last amended by section 341, Code of 1881 and RCW 6.16.070; amending section 346, page 88, Laws of 1869 as last amended by section 349, Code of 1881 and RCW 6.16.090; amending section 2, page 39, Laws of 1886 as amended by section 1, chapter 159, Laws of 1923 and RCW 7.12.020; amending section 456, page 214, Laws of 1854 as last amended by section 688, Code of 1881 and RCW 7.36.020; amending section 13, page 81, Laws of 1875 as amended by section 1247, Code of 1881 and RCW 7.48.240; amending section 38, page 108, Laws of 1854 as last amended by section 1931, Code of 1881 and RCW 10.16.150; amending section 15.24.086, chapter 11, Laws of 1961 and RCW 15.24.086; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 2, chapter 162, Laws of 1927 and RCW 19.72.030; amending section 34, chapter 53, Laws of 1965 and RCW 23A.08.310; amending section 25.04.070, chapter 15, Laws of 1955 and RCW 25.04.070; amending section 25.04.250, chapter 15, Laws of 1955 and RCW 25.04.250; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 2, chapter 17, Laws of 1970 ex. sess. and RCW 26.04.010; amending section 1, chapter 174, Laws of 1909 as last amended by section 1, chapter 149, Laws of 1959 and RCW 26.04.030; amending section 2, chapter 174, Laws of 1909 as last amended by section 2, chapter 149, Laws of 1959 and RCW 26.04.040; amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 5, chapter 17, Laws of 1970 ex. sess. and RCW 26.04.210; amending section 2, chapter 215, Laws of 1949 as amended by section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020; amending section 9, chapter 215, Laws of 1949 as amended by section 70, chapter 81, Laws of 1971 and RCW 26.08.090; amending section 12, chapter 215, Laws of 1949 and RCW 26.08.120; amending section 13, chapter 215, Laws of 1949 and RCW 26.08.130; amending section 1, chapter 28, Laws of 1913 as last amended by section 2, chapter 207, Laws of 1969 ex. sess. and RCW 26.20.030; amending section 2, chapter 28, Laws of 1913 as amended by section 1, chapter 297, Laws of 1927 and RCW 26.20.050; amending section 3, chapter 28, Laws of 1913 and RCW 26.20.080; amending section 19, chapter 203, Laws of 1919 and RCW 26.24.190; amending section 2, page 407, Laws of 1854 as last amended by section 2364, Code of 1881 and RCW

26.28.020; amending section 195, chapter 249, Laws of 1909 and RCW 26.28.060; amending section 3, chapter 291, Laws of 1955 and RCW 26.32.030; amending section 4, chapter 291, Laws of 1955 and RCW 26.32.040; amending section 5, chapter 291, Laws of 1955 and RCW 26.32.050; amending section 8, chapter 291, Laws of 1955 and RCW 26.32.080; amending section 2, chapter 49, Laws of 1903 and RCW 26.37.020; amending section 28A.34.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.34.050; amending section 28A.60.210, chapter 223, Laws of 1969 ex. sess. as amended by section 37, chapter 48, Laws of 1971 and RCW 28A.60.210; amending section 28B.30.150, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.150; amending section 30.08.150, chapter 33, Laws of 1955 and RCW 30.08.150; amending section 30.20.030, chapter 33, Laws of 1955 and RCW 30.20.030; amending section 43, chapter 235, Laws of 1945 and RCW 33.20.050; amending section 35.24.370, chapter 7, Laws of 1965 as amended by section 61, chapter 292, Laws of 1971 ex. sess. and RCW 35.24.370; amending section 35.27.500, chapter 7, Laws of 1965 as amended by section 62, chapter 292, Laws of 1971 ex. sess. and RCW 35.27.500; amending section 35.66.050, chapter 7, Laws of 1965 and RCW 35.66.050; amending section 36.28.100, chapter 4, Laws of 1963 and RCW 36.28.100; amending section 2, chapter 130, Laws of 1943 as amended by section 1, chapter 74, Laws of 1963 and RCW 38.04.030; amending section 93, chapter 130, Laws of 1943 as last amended by section 1, chapter 149, Laws of 1963 and RCW 38.20.010; amending section 4, chapter 108, Laws of 1895 as amended by section 4, chapter 134, Laws of 1909 and RCW 38.44.010; amending section 4, chapter 178, Laws of 1951 as amended by section 3, chapter 203, Laws of 1967 and RCW 38.52.030; amending section 14, chapter 223, Laws of 1953 and RCW 38.52.300; amending section 15, chapter 31, Laws of 1935 and RCW 41.08.140; amending section 1, chapter 91, Laws of 1947 and RCW 41.16.010; amending section 4, chapter 82, Laws of 1957 as amended by section 4, chapter 5, Laws of 1959 and RCW 41.16.100; amending section 6, chapter 82, Laws of 1957 as amended by section 6, chapter 5, Laws of 1959 and RCW 41.16.120; amending section 8, chapter 82, Laws of 1957 as amended by section 8, chapter 5, Laws of 1959 and RCW 41.16.140; amending section 9, chapter 82, Laws of 1957 as amended by section 9, chapter 5, Laws of 1959 and RCW 41.16.150; amending section 10, chapter 82, Laws of 1957 as amended by section 10, chapter 5, Laws of 1959 and RCW 41.16.160; amending section 11, chapter 82, Laws of 1957 as amended by section 11, chapter 5, Laws of 1959 and RCW 41.16.170; amending section 12, chapter 91, Laws of 1947 and RCW 41.16.230; amending section 1, chapter 382, Laws of 1955 as last amended by section 40, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.010; amending section 4, chapter 382, Laws of 1955 as last amended by section 29, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.040; amending section 25, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.045; amending section 9, chapter 382, Laws of 1955 as last amended by section 1, chapter 109, Laws of 1965 and RCW 41.18.080; amending section 8, chapter 382, Laws of 1955 as last amended by section 28, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.100; amending section 16, chapter 261, Laws of 1945 as last amended by section 2, chapter 86, Laws of 1965 and RCW 41.24.160; amending section 18, chapter 261, Laws of 1945 as amended by section 3, chapter 57, Laws of 1961 and RCW 41.24.180; amending section 52, chapter 80, Laws of 1947 as last amended by section 7, chapter 50, Laws of 1967 and RCW 41.32.520; amending section 2, chapter 183, Laws of 1957 and RCW 41.33.020; amending section 17, chapter 71, Laws of 1947 as last amended by section 7, chapter 99, Laws of 1965 ex. sess. and RCW 41.44.170; amending section 21, chapter 71, Laws of 1947 as last amended by section 10, chapter 227, Laws of 1961 and RCW 41.44.210; amending section 43.22.160, chapter 8, Laws of 1965 and RCW 43.22.160; amending section 43.22.170, chapter 8, Laws of 1965 and RCW 43.22.170; amending section 43.22.260, chapter 8, Laws of 1965 and RCW 43.22.260; amending section 43.22.270, chapter 8, Laws of 1965 and RCW 43.22.270; amending section 43.22.280, chapter 8, Laws of 1965 and RCW 43.22.280; amending section 43.51.570, chapter 8, Laws of 1965 and RCW 43.51.570; amending section 43.78.150, chapter 8, Laws of 1965 and RCW 43.78.150; amending section 46.20.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 71, Laws of 1972 ex. sess. and RCW 46.20.100; amending section 29, chapter 121, Laws of 1965 ex. sess. as amended by section 6, chapter 167, Laws of 1967 and RCW 46.20.322; amending section 1, chapter 194, Laws of 1941 as amended by section 1, chapter 144, Laws of 1965 and RCW 49.24.080;

amending section 4, chapter 194, Laws of 1941 and RCW 49.24.110; amending section 3, chapter 286, Laws of 1955 as amended by section 20, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.030; amending section 1, chapter 137, Laws of 1957 and RCW 54.36.010; amending section 4, page 26, Code of 1881, Bagley's Supp. as last amended by section 1, chapter 124, Laws of 1875 and RCW 67.14.040; amending section 72.33.020, chapter 28, Laws of 1959 and RCW 72.33.020; amending section 72.36.040, chapter 28, Laws of 1959 as amended by section 1, chapter 235, Laws of 1959 and RCW 72.36.040; amending section 72.36.050, chapter 28, Laws of 1959 as amended by section 1, chapter 112, Laws of 1967 and RCW 72.36.050; amending section 72.36.080, chapter 28, Laws of 1959 and RCW 72.36.080; amending section 72.64.040, chapter 28, Laws of 1959 and RCW 72.64.040; amending section 1, chapter 14, Laws of 1891 and RCW 73.04.010; amending section 1, chapter 84, Laws of 1895 as last amended by section 1, chapter 29, Laws of 1951 and RCW 73.16.010; amending section 1, chapter 180, Laws of 1949 as amended by section 1, chapter 13, Laws of 1950 ex. sess. and RCW 73.32.020; amending section 1, chapter 292, Laws of 1955 and RCW 73.33.010; amending section 2, chapter 292, Laws of 1955 and RCW 73.33.020; amending section 30, chapter 228, Laws of 1963 and RCW 74.12.340; amending section 8, chapter 206, Laws of 1963 as amended by section 15, chapter 173, Laws of 1969 ex. sess. and RCW 74.20.220; amending section 8, chapter 206, Laws of 1963 and RCW 74.20.230; amending section 165, chapter 36, Laws of 1917 as amended by section 11, chapter 211, Laws of 1943 and RCW 78.40.608; amending section 12, chapter 152, Laws of 1903 as amended by section 55, chapter 292, Laws of 1971 ex. sess. and RCW 79.48.130; amending section 80.28.080, chapter 14, Laws of 1961 and RCW 80.28.080; amending section 81.28.080, chapter 14, Laws of 1961 and RCW 81.28.080; amending section 81.94.060, chapter 14, Laws of 1961 and RCW 81.94.060; amending section 84.36.040, chapter 15, Laws of 1961 as amended by section 1, chapter 245, Laws of 1969 ex. sess. and RCW 84.36.040; amending section 84.36.120, chapter 15, Laws of 1961 as amended by section 72, chapter 299, Laws of 1971 ex. sess. and RCW 84.36.120; repealing section 497, page 220, Laws of 1854, section 11, page 5, Laws of 1869, section 12, page 5, Laws of 1877, section 11, Code of 1881, section 60, chapter 292, Laws of 1971 ex. sess. and RCW 4.24.030; repealing section 487, page 219, Laws of 1854, section 752, page 152, Laws of 1877, section 747, Code of 1881 and RCW 4.24.120; repealing section 2406, Code of 1881 and RCW 26.16.170; and repealing section 1, chapter 84, Laws of 1951, section 1, chapter 41, Laws of 1965 and RCW 49.28.070.

Referred to Judiciary Committee.

**SENATE BILL NO. 2503, by Senators Walgren and Bottiger:**

An Act relating to state courts; amending section 4, chapter 299, Laws of 1961 and RCW 3.30.040; amending section 7, chapter 299, Laws of 1961 as amended by section 3, chapter 73, Laws of 1971 and RCW 3.30.070; amending section 37, chapter 299, Laws of 1961 and RCW 3.46.030; amending section 51, chapter 299, Laws of 1961 and RCW 3.50.020; amending section 8, chapter 29, Laws of 1891 and RCW 10.10.040; amending section 5, chapter 58, Laws of 1929 and RCW 12.36.050; and amending section 35.22.560, chapter 7, Laws of 1965 as amended by section 89, chapter 81, Laws of 1971 and RCW 35.22.560.

Referred to Judiciary Committee.

**SENATE BILL NO. 2504, by Senators Sandison and Bailey:**

An Act relating to state government; establishing a Washington state board on geographic names; adding a new chapter to Title 43 RCW; and for the use of geographic names.

Referred to Committee on State Government.

**SENATE BILL NO. 2505, by Senator Herr:**

An Act relating to support of dependent children; and amending section 4, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.040.

Referred to Judiciary Committee.

**SENATE BILL NO. 2506, by Senators Sandison, Bailey and Atwood:**

An Act relating to community colleges; amending section 18, chapter 15, Laws of 1970 ex. sess. as amended by section 18, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.340; amending section 28B.50.350, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.350; amending section 28B.50.390, chapter 223, Laws of 1969 ex. sess. as last amended by section 33, chapter 56, Laws of 1970 ex. sess. and RCW 28B.50.390; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2507, by Senators Washington, Bailey, Sellar, Connor, Ridder and Van Hollebeke:

An Act relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; abolishing certain state agencies and transferring authority and property; directing certain recodifications; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 4, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 47.01.030, chapter 13, Laws of 1961 as amended by section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; amending section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; amending section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; amending section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; amending section 47.01.160, chapter 13, Laws of 1961 as amended by section 1, chapter 115, Laws of 1971 ex. sess. and RCW 47.01.160; amending section 47.01.220, chapter 13, Laws of 1961 and RCW 47.01.220; amending section 18, chapter 83, Laws of 1967 ex. sess. as amended by section 8, chapter 85, Laws of 1971 ex. sess. and RCW 47.26.120; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.245, chapter 13, Laws of 1961 as amended by section 53, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.245; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 47.60.060, chapter 13, Laws of 1961 as last amended by section 65, chapter 56, Laws of 1970 ex. sess. and RCW 47.60.060; amending section 1, chapter 18, Laws of 1935 as last amended by section 58, chapter 292, Laws of 1971 ex. sess. and RCW 88.16.010; amending section 2, chapter 18, Laws of 1935 as last amended by section 1, chapter 15, Laws of 1967 and RCW 88.16.020; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; adding a new section to chapter 14.04 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new section to chapter 43.59 RCW; adding new sections to chapter 47.01 RCW; adding a new section to chapter 47.04 RCW; adding a new section to chapter 47.60 RCW; creating new sections; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 3, chapter 147, Laws of 1967 ex. sess., section 1, chapter 105, Laws of 1969 ex. sess., section 7, chapter 85, Laws of 1971 ex. sess. and RCW 43.59.030; repealing section 6, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.050; repealing section 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.060; repealing section 9, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.080; repealing section 14, chapter 147, Laws of 1967 ex. sess., section 5, chapter 195, Laws of 1971 ex. sess. and RCW 43.59.130; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13,

Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967 and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

#### MOTION

Senator Walgren moved that Senate Bill No. 2507 be referred to the Committee on Transportation and Utilities.

Debate ensued.

Senator Walgren demanded a roll call and the demand was sustained by Senators Guess, Henry, Sellar, Connor, Knoblauch, Day, Scott, Woody and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Walgren failed by the following vote: Yeas, 20; nays, 27; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Francis, Gardner, Guess, Jolly, Lewis (Bob), Mardesich, Metcalf, Peterson (Lowell), Ridder, Sandison, Sellar, Stender, Stortini, Twigg, Walgren, Wanamaker, Washington, Woody—20.

Voting nay: Senators Atwood, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Grant, Greive, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Scott, Talley, Van Hollebeke, Woodall—27.

Absent or not voting: Senator Whetzel—1.

Excused: Senator Dore—1.

Senate Bill No. 2507 was referred to the Committee on State Government.

SENATE BILL NO. 2508, by Senators Peterson (Lowell), Mardesich and Lewis (Harry):

An Act relating to intergovernmental disposition of property; and amending section 1, chapter 133, Laws of 1953 as amended by section 1, chapter 95, Laws of 1972 ex. sess. and RCW 39.33.010.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2509, by Senator Rasmussen (by Liquor Control Board request):

An Act relating to intoxicating liquor; and amending section 1, chapter 200, Laws of 1929 as amended by section 1, chapter 2, Laws of 1933 and RCW 66.44.320.

Referred to Judiciary Committee.

SENATE BILL NO. 2510, by Senators Gardner, Whetzel and Dore:

An Act relating to the Asian development bank; amending section 8, chapter 155, Laws of 1965 as amended by section 3, chapter 128, Laws of 1969 and RCW 41.40.071; amending section 20, chapter 80, Laws of 1947 as last amended by section 6, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.200; amending section 1, chapter 104, Laws of 1965 ex. sess. as amended by section 1, chapter 2, Laws of 1967 ex. sess. and RCW 43.84.011.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2511, by Senators Rasmussen, Walgren, Woody and Lewis (Harry) (by Liquor Control Board request):

An Act relating to intoxicating liquor; amending section 23-I added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 138, Laws of 1971 ex. sess. and RCW 66.24.310; amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.050; and providing an effective date.

Referred to Committee on State Government.



SENATE BILL NO. 2512, by Senators Rasmussen, Walgren, Woody and Lewis (Harry) (by Liquor Control Board request):

An Act relating to intoxicating liquor; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050; and providing an effective date.

Referred to Committee on State Government.

SENATE JOINT RESOLUTION NO. 115, by Senators Walgren and Bottiger:

Enabling the legislature to establish justice courts as courts of record.

Referred to Judiciary Committee.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2491, 2507, 2511 and 2512.

### THIRD READING

SENATE BILL NO. 2174, by Senators Walgren, Sandison, Twigg and Stortini (by Joint Committee on Higher Education and by Municipal Committee request):

Setting forth minimum standards for police forces of state colleges and universities.

### POINT OF INQUIRY

Senator Mardesich: "Would Senator Sandison yield to a question? Senator Sandison, for the record, so that there will be no doubt as to the intent of the legislature, is it not your position that this bill not only would not authorize these people to fall under the LEFF retirement system but in fact it is the intention of the legislature specifically to not include them under that act by the passage of this measure?"

Senator Sandison: "That is a correct statement."

### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2174, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-42.

Voting nay: Senators Durkan, Rasmussen, Ridder-3.

Absent or not voting: Senators Herr, Talley, Whetzel-3.

Excused: Senator Dore-1.

SENATE BILL NO. 2174, having received the 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 Senator Mardesich, the Senate returned to the sixth order of business.

On motion of Senator Mardesich, the Senate immediately commenced consideration of Senate Bill No. 2386.

On motion of Senator Scott, Senator Whetzel was excused.

## SECOND READING

SENATE BILL NO. 2386, by Senators Stender, Guess, Grant, Lewis (Harry), Sellar, Connor, Jones and Atwood (by Executive request):

Enacting the Washington Industrial Safety and Health Act of 1973.

The bill was read the second time by sections.

On motion of Senator Stender, the rules were suspended, Senate Bill No. 2386 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2386, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Absent or not voting: Senator Fleming—1.

Excused: Senators Dore, Whetzel—2.

SENATE BILL NO. 2386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Stender, Senate Bill No. 2386 was ordered immediately transmitted to the House.

## APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Mrs. Ernest Lennart, wife of former Senator Ernest Lennart, and appointed a special committee consisting of Senators Woodall, Canfield, Atwood, Guess, Keefe, Greive, Peterson (Ted) and Knoblauch to escort Mrs. Lennart to a place of honor upon the rostrum. With leave of the Senate, business was suspended to permit Mrs. Lennart to speak to the Senate.

The special committee escorted the honored guest from the Senate Chamber.

## SECOND READING

SENATE BILL NO. 2106, by Senators Donohue and Lewis (Harry) (by Executive request):

Adopting the supplemental budget.

## MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 2106 was substituted for Senate Bill No. 2106, and the substitute bill was read the second time in full.

Senator Ridder moved adoption of the following amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor:

On page 1, section 2, line 17, strike all the material down through and including "\$10,732,139" on page 2, line 11 and insert the following:

*"NEW SECTION* Sec. 2. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

Based upon the salary schedule in effect on January 1, 1973 the governor shall allot

the amounts necessary for a salary adjustment of \$40 per month effective February 1, 1973: For all state employees except faculty and exempt staff of community colleges and certificated staff of local school districts.

General Fund Appropriation . . . . . \$10,139,660”  
 Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: “Will Senator Durkan yield? Senator Durkan, is this an increase in pay for employees from February through June, 1973?”

Senator Durkan: “That is correct.”

Senator Woodall: “Is the theory that there has been a cost of living increase which has made this necessary? That is the theory for the justification?”

Senator Durkan: “That is correct.”

Senator Woodall: “Don’t you think the man who is already getting twenty or twenty-five thousand can limp along the next five months with only a forty dollar increase the same as the man who is earning six thousand is going to have to get by on forty dollars for the next five months?”

Senator Durkan: “Senator, that is the argument Senator Ridder makes and it is a telling argument and I think there is an honest difference of opinion between Senator Ridder and myself. I think that I have listened to the arguments, both pro and con, on it. I told the Governor that I would present his views on the Senate floor and that I support them. In direct response, I honestly believe that this is not an unfair approach.”

Senator Woodall: “Some of these people who are very anxiously taking these new appointments are happy to take them at their present pay of twenty-three thousand. They are asking us to immediately confirm them. They suddenly get a four percent increase over what they are getting the minute we swore them in. Is that correct under this?”

Senator Durkan: “Senator, let me answer you. That in a sense will be correct but it is not untrue of legislators also. We have been elected and there are those who are sitting on the floor now and who are looking for salary increases. So it is not fair to pick out appointed officials nor is it fair to pick out state employees and make this criticism. I think it is a criticism which if it is to be made can be made against all those who depend upon state government for income.”

#### POINT OF INQUIRY

Senator Rasmussen: “Would Senator Atwood yield to a question? Senator Atwood, do we in the legislature set the salaries at the various colleges?”

Senator Atwood: “No, we do not.”

#### POINT OF INQUIRY

Senator Canfield: “Will Senator Ridder yield? Senator Ridder, the Ways and Means measure gives these increases to all state employees except faculty and exempt staff of institutions of higher learning and classified local school districts.”

Senator Ridder: “All this comes back in the second part and it has a proviso to limit it to a million and a half.”

Senator Canfield: “Well, I am not through with my question yet. On your amendment you say it is for all state employees except faculty and exempt staff at community colleges, and certificated staff of local school districts. So, if I read this correctly you can still give this increase to the faculty of the University of Washington, for instance. So you are not really getting at the high paid people because they would get it.”

Senator Ridder: “Well, we would be giving them the forty dollars. It is forty dollars for everyone.”

Senator Canfield: “It does not say that, does it?”

Senator Ridder: “Well then I would . . .”

Senator Canfield: “It says you are going to give it to the faculty of the University of

Washington, for instance, but you are not going to give it to the faculty and exempt staff at community colleges and certificated staff of local school districts. So my question is, it is not clear to me exactly to whom you expect these increases to be given."

Senator Ridder: "The increases would not go to faculty and exempt staff of community colleges and certificated staff of local school districts because they have contracts. And it is impossible to give them this raise under the federal guidelines. However, if this does not speak to the needs of higher education, then I would suggest that we hold this bill and we draft an amendment to include them if we have left them out. My understanding was this took care of it, Senator."

#### MOTION

On motion of Senator Greive, Senate Bill No. 2106 and the pending amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor were made a special order of business for 1:30 today.

#### SECOND READING

SENATE BILL NO. 2111, by Senators Stender, Greive, Connor, Marsh and Dore:  
Implementing law relating to credit unions.

The Senate resumed consideration of Senate Bill No. 2111. The committee amendment to page 5, section 6, beginning on line 22 was adopted February 2, 1973.

On February 5, 1973, Senator Dore moved adoption of the committee amendment to page 7, section 10, beginning on line 30. On motion of Senator Dore on February 5, 1973, an amendment to the committee amendment was adopted.

The President declared the question before the Senate to be adoption of the committee amendment to page 7, section 10, beginning on line 10, as amended.

#### MOTIONS

Senator Greive moved that Senate Bill No. 2111 and the pending committee amendments be returned to the Committee on Financial Institutions.

Senator Talley moved that the motion by Senator Greive be amended that the Committee on Financial Institutions report back within five days.

The motion by Senator Greive, as amended by Senator Talley, carried. Senate Bill No. 2111 and the pending committee amendments were returned to the Committee on Financial Institutions.

#### SECOND READING

SENATE BILL NO. 2339, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

Creating an advisory council to the department of fisheries.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the following amendments were adopted:

PROVIDED, That any expenses incurred pursuant to this subsection shall not be reimbursable pursuant to the provisions of section 4 of this act"

On page 2, section 2, line 2 after "game fish" and before the period insert "or if such committee is not in existence, then such appointments shall be made by a concurring vote of the senate and house standing committees on natural resources"

Senator Lewis (Harry) moved adoption of the following amendment:

On page 2, section 2, line 1, after the comma, strike "by the legislative interim committee on fisheries, game, and game fish" and insert "by the Governor"

#### MOTION

At 11:55 a.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SPECIAL ORDER OF BUSINESS

SUBSTITUTE SENATE BILL NO. 2106, by Committee on Ways and Means (originally sponsored by Senators Donohue and Lewis (Harry) (by Executive request):

Adopting the supplemental budget.

The time having arrived, the Senate resumed consideration of Substitute Senate Bill No. 2106 and the pending amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor.

MOTIONS

On motion of Senator Ridder, the amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor was withdrawn.

Senator Ridder moved adoption of the following amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor:

On page 1, section 2, line 17, strike all the material down through and including "\$10,732,139" on page 2, line 11 and insert the following:

"NEW SECTION. Sec. 2. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

Based upon the salary schedule in effect on January 1, 1973 the governor shall allot the amounts necessary for a salary adjustment of \$40 per month effective February 1, 1973: For all local school district classified employees, for all employees of four year units of higher education, and for all state employees except faculty and exempt staff of community colleges and certificated staff of local school districts.

General Fund Appropriation . . . . . \$10,139,600"

POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Ridder yield to a question? Senator Ridder, in the event this amendment is adopted, do you have another amendment that would kill all pay raises for state employees pending?"

Senator Ridder: "I do have one up there. It would be my judgment that if this passes . . . ."

Senator Lewis (Harry): "Thank you, Senator Ridder. That was the only question I had to ask you."

POINT OF INQUIRY

Senator Canfield: "Will Senator Ridder yield further? Senator Ridder, in the wording of your new amendment, I think these definitions that we are using here are a little bit different than we are in the habit of using. We have been talking about certificated personnel and non-certificated and now you are talking about classified employees. You are talking about employees of four-year units of higher education. And in discussing this matter with you a little while ago I believe that your interpretation of an employee of a four-year unit of higher education includes the professors and so on, the teachers, in other words. Is that correct?"

Senator Ridder: "Right."

Senator Canfield: "And so I would like for you to carefully explain that these so-called classified employees and employees and state employees are in fact all employees, teachers and non-certificated and all."

Senator Ridder: "The term classified is interchangeable with non-certificated. In other words, everyone not having a valid teaching certificate is non-certificated or classified."

Senator Canfield: "But all the teachers are employees as you are interpreting it here."

Senator Ridder: "But they are called certificated employees. This distinguishes them between classified and certificated."

Senator Canfield: "Are you making a distinction here?"

Senator Ridder: "There is a great distinction."

Senator Canfield: "For all local school districts classified employees. Then whom does that apply to specifically?"

Senator Ridder: "Under the Attorney General's ruling, all employees in higher education. They do not hold certification as such. They hold various degrees but they are hired by the university and therefore become employees of the state government."

Senator Canfield: "They are teachers and professors, are they not?"

Senator Ridder: "Yes, but they are hired in a completely different way. They are not certificated."

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Donohue yield to a question? Senator Donohue, the statement you made concerned those higher salaried officials that were leaving because salaries were higher in other states. Does the legislature set those salaries?"

Senator Donohue: "Senator Rasmussen, the legislature appropriates the money and this money is distributed by the board of regents at the university, but not to exceed four percent in this case. It is at their discretion. If they have an individual that they feel that is the type of individual that they want to retain and that is very much needed in a certain department, then they have the prerogative of giving him more money. If they have an individual who they think is not competent they have the prerogative of not giving him any raise, or a lesser amount."

Debate ensued.

Senator Greive demanded the previous question and the demand was sustained by Senators Greive, Stortini and Mardesich.

Senator Greive demanded a roll call and the demand was sustained by Senators Bailey, Atwood, Peterson (Ted), Rasmussen, Connor, Wanamaker, Clarke, Washington and Knoblauch.

#### MOTION

On motion of Senator Scott, Senator Metcalf was excused.

#### ROLL CALL

The Secretary called the roll and the amendment by Senators Dore, Ridder, Stortini, Washington, Greive, Van Hollebeke and Connor was adopted by the following vote: Yeas, 26; nays, 20; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Fleming, Francis, Grant, Greive, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sellar, Stender, Stortini, Van Hollebeke, Walgren, Washington, Woodall, Woody—26.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Durkan, Gardner, Guess, Herr, Jones, Lewis (Harry), Matson, Murray, Newschwander, Peterson (Ted), Sandison, Scott, Talley, Twigg, Wanamaker, Whetzel—20.

Absent or not voting: Senator Henry—1.

Excused: Senators Dore, Metcalf—2.

Senator Durkan moved adoption of the following amendment by Senators Odegaard and Donohue:

On page 6, section 7, line 16, after "1973" insert "PROVIDED, That the funds herein appropriated are to be utilized for the purpose of providing early implementation of a five percent cost of living increase for Old Age Assistance categorical recipients insofar as the effects of cost of living increases have had a greater impact upon that category of recipients than upon any other category of recipients: PROVIDED FURTHER, That to the extent that RCW 74.08.040 might be construed to be in conflict with the intent of the Legislature respecting grant standards for Old Age Assistance recipients the statute shall be liberally construed to effectuate these purposes"

POINT OF INQUIRY

Senator Woody: "Would Senator Durkan yield to a question? Senator Durkan, since I was the first person to raise the question as to whether or not the language used would do what we all intended that it do, let me pose a hypothetical question for legislative intent. If an old age recipient would be entitled to receive one hundred and fifty dollars from the department of public assistance and if that person were not receiving any pension or social security, would this five percent increase be based upon that one hundred and fifty dollars or an amount less than one hundred and fifty if social security were to be subtracted?"

Senator Durkan: "Mr. President, it will be an average of five percent and the social security will not be treated as a resource."

The motion by Senator Durkan carried and the amendment was adopted.

Senator Murray moved adoption of the following amendment by Senators Murray, Whetzel, Scott and Jones:

On page 5, section 4, line 31, after "440,015" insert: "General Fund Appropriation: For costs of carrying out the provisions of Initiative 276, Public Disclosure Act, during the period January 1, 1973

through June 30, 1973 . . . . . \$38,302  
Debate ensued.

Senator Scott demanded a roll call and the demand was sustained by Senators Greive, Peterson (Ted), Stender, Jones, Whetzel, Washington, Day, Bottiger and Donohue.

ROLL CALL

The Secretary called the roll and the amendment by Senators Murray, Whetzel, Scott and Jones was not adopted by the following vote: Yeas, 10; nays, 37; excused, 2.

Voting yea: Senators Connor, Francis, Gardner, Greive, Jones, Murray, Peterson (Ted), Scott, Washington, Whetzel-10.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody-37.

Excused: Senators Dore, Metcalf-2.

On motion of Senator Mardesich, the rules were suspended, Engrossed Substitute Senate Bill No. 2106 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Mardesich: "Would Senator Durkan yield to a question for the record? Senator Durkan, the employees of the supreme court are exempt employees and I am wondering whether this bill includes those people as distinguished from judges under the . . ."

Senator Durkan: "The answer, Senator Mardesich, is that we have checked and it is the intent of the legislature that the employees of the supreme court would be included in this. The amount is forty-five hundred dollars and it does not include the supreme court itself. It is the employees of the supreme court and I have talked to Senator Ridder and his amendment is all encompassing so it would be included under this."

PERSONAL PRIVILEGE

Senator Durkan: "Mr. President, speaking under a point of personal privilege, there should be no misunderstanding on those of us who did not vote to include Senator Murray's amendment. We are dedicated to the fact that this initiative shall be fully funded, shall be fully operable and the disagreement between us was the method by which it will be done. The Governor can implement it immediately. There is not any question about the fact that the funds can be used. And the fact that some of us voted no on your amendment does not in any way, and I hope that you will understand, indicate that we are not prepared to see to it that the initiative is fully funded in the main bill."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2106 and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—38.

Voting nay: Senators Atwood, Clarke, Francis, Jones, Matson, Murray, Newschwander, Sellar, Wanamaker—9.

Excused: Senators Dore, Metcalf—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERMISSION GRANTED

Senator Grant was given permission to use the Senate Chambers on Monday night, February 12, 1973 for the purpose of a hearing on presidential preference primaries.

## MOTION

At 2:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, February 8, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



## THIRTY-SECOND DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 8, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Durkan. There being no objection, Senators Dore and Durkan were excused.

The Color Guard, consisting of Pages Mike Blanchard and Pamela Fay, presented the Colors. Reverend Thomas Hesselbrock, associate pastor of St. Michael's Church of Olympia, offered the following prayer:

"ALMIGHTY FATHER, BE PRESENT WITH US NOW, IN YOUR GIFTS OF FAITH, HOPE, AND LOVE: FAITH, THAT WE MIGHT SEE YOU IN OUR NEIGHBOR, AND IN THE GOOD THINGS OF OUR WORLD: HOPE, THAT WE MIGHT EXPERIENCE YOUR LIFE THAT IS TO COME, BY USING FULLY THE LIFE WE SHARE NOW: AND LOVE, THAT WE MIGHT HAVE THE ABILITY TO EXPRESS THE VISION THAT IS OUR FAITH, AND THE LIFE THAT IS OUR HOPE. ENLIGHTEN US NOW, AS WE SERVE THE NEEDS OF THE CITIZENS OF OUR STATE, FATHER, AND MAY ALL OUR LIVES BECOME ONE WITH YOURS. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

February 5, 1973.

SENATE BILL NO. 2004, providing for a state lottery (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2081, providing for the adoption of the uniform management of institutional funds act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2196, authorizing community education pilot programs and appropriating funds therefor (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Murray, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 7, 1973.

SENATE BILL NO. 2216, lowering legal age for use of alcoholic beverages (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Durkan, Twigg, Van Hollebeke.

MINORITY recommendation: Do not pass.

Signed by: Senator Bottiger.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2229, limiting the application of the administrative procedure act in certain proceedings (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Francis, Jones, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2243, providing procedures for crediting time served towards sentence of person convicted of crime (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Jones, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2256, implementing the law of juvenile probation services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Jones, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 7, 1973.

SENATE BILL NO. 2294, implementing laws relating to the secretary of state (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2342, authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2391, reconciling certain double amendments and conflicting provisions in education code (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Murray, Newschwander, Odegaard.

Passed to Committee on Rules for second reading.

February 6, 1973.

SENATE BILL NO. 2394, including preliminary planning costs for purposes of determining state aid for certain school plant facilities (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander.

Passed to Committee on Rules for second reading.

February 8, 1973.

HOUSE BILL NO. 109, removing milk solids from the limitation placed upon advertising milk products by naming the breed of cow which produced it (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 6, 1973.

ENGROSSED HOUSE BILL NO. 117, implementing law relating to school holidays and programs suitable thereto (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander.

Passed to Committee on Rules for second reading.

February 7, 1973.

ENGROSSED HOUSE BILL NO. 153, providing for distribution of session laws, house journals, and court reports to the University of Puget Sound law school (reported by Committee on Higher Education):

Recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 8, 1973.

HOUSE BILL NO. 238, redefining boundaries of Washington state fruit commission districts (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Day, Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENTS

February 7, 1973.

HERB FRANK, to the position of member of the Board of Trustees of Central Washington State College, appointed by the Governor on June 28, 1972 for the term ending June 6, 1978, succeeding James D. Kendall (reported by the Committee on Higher Education):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf, Scott.  
Passed to Committee on Rules.

February 7, 1973.

JEROME W. PAGE, to the position of member of the Board of Trustees of Eastern Washington State College, appointed by the Governor on August 14, 1972 for the term ending August 1, 1978, succeeding L. J. Carmody (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Marsh, Metcalf, Scott.  
Passed to Committee on Rules.

#### MESSAGE FROM THE HOUSE

February 7, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 71,  
HOUSE BILL NO. 75,  
HOUSE BILL NO. 152,  
ENGROSSED HOUSE BILL NO. 160,  
HOUSE BILL NO. 185, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 10:35 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:35 a.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2513, by Senators Talley and Twigg:

An Act relating to counties; amending section 36.16.032, chapter 4, Laws of 1963 as last amended by section 1, chapter 97, Laws of 1972 ex. sess. and RCW 36.16.032; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1971 ex. sess. and RCW 36.17.020; and making an effective date.

Referred to Committee on Local Government.

SENATE BILL NO. 2514, by Senators Atwood, Newschwander and Gardner:

An Act relating to the Washington Law Enforcement Officers' Training Commission; amending section 3, chapter 158, Laws of 1965 as amended by section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030; amending section 4, chapter 158, Laws of 1965 and RCW 43.100.040; amending section 6, chapter 158, Laws of 1965 and RCW 43.100.060; amending section 8, chapter 158, Laws of 1965 as amended by section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080; amending section 3, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.085; amending section 11, chapter 158, Laws of 1965 and RCW 43.100.110; amending section 13, chapter 158, Laws of 1965 and RCW 43.100.130; amending section 17, chapter 158, Laws of 1965 and RCW 43.100.160; amending section 18, chapter 158, Laws of 1965 and RCW 43.100.170; repealing sections 9 and 15, chapter 158, Laws of 1965 and RCW 43.100.090 and RCW 43.100.150; and creating a new section.

Referred to Committee on Local Government.

SENATE BILL NO. 2515, by Senators Francis and Clarke:

An Act relating to the power or authority to direct or control the acts of a trustee or the investments of a trust, authorizing the investment of trust funds in certain policies of life insurance and declaring that certain fiduciaries have an insurable interest in the lives of certain beneficiaries and others; amending section .18.03, chapter 79, Laws of 1947 and RCW 48.18.030; and adding new sections to chapter 33, Laws of 1955 and to chapter 30.24 RCW.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2516, by Senators Atwood, Newschwander and Durkan:

An Act relating to dispersal of funds; amending section 2, chapter 41, Laws of 1967 ex. sess. and RCW 43.06.130; amending section 3, chapter 41, Laws of 1967 ex. sess. and RCW 43.06.140; and amending section 4, chapter 41, Laws of 1967 ex. sess. and RCW 43.88.205.

Referred to Committee on State Government.

SENATE BILL NO. 2517, by Senators Lewis (Harry), Durkan, Dore, Walgren, Clarke, Donohue, Sandison, Ridder, Canfield, Newschwander, Matson, Fleming, Jolly, Henry, Metcalf, Wanamaker, Scott, Peterson (Ted), Lewis (Bob), Woodall and Murray:

An Act relating to budget preparation; amending section 43.88.100, chapter 8, Laws of 1965 and RCW 43.88.100; amending section 2, chapter 43, Laws of 1951 and RCW 44.28.060; and amending section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2518, by Senators Rasmussen, Woodall, Henry, Keefe and Jolly:

An Act relating to state government; creating a new department of institutions; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; amending section 3, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.030; amending section 13, chapter 18, Laws of 1971 ex. sess. and RCW 43.20A.180; amending section 72.01.010, chapter 28, Laws of 1959 as amended by section 56, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.010; amending section 1, chapter 169, Laws of 1953 as amended by section 60, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.042; amending section 2, chapter 169, Laws of 1953 as amended by section 61, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.043; amending section 72.02.040, chapter 28, Laws of 1959 as amended by section 57, chapter 18, Laws of 1970 ex. sess. and RCW 72.02.040; amending section 72.05.020, chapter 28, Laws of 1959 as amended by section 58, chapter 18, Laws of 1970 ex. sess. and RCW 72.05.020; amending section 72.06.010, chapter 28, Laws of 1959 as amended by section 59, chapter 18, Laws of 1970 ex. sess. and RCW 72.06.010; amending section 2, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.010; amending section 3, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.020; amending section 4, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.030; amending section 5, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.040; amending section 6, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.050; amending section 9, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.080; amending section 10, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.090; adding new sections to chapter 72.01 RCW; adding a new section to chapter 72.04A RCW; repealing section 28, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.210; repealing section 29, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.220; and repealing section 30, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.230.

Referred to Committee on State Government.

SENATE BILL NO. 2519, by Senators Gardner, Murray, Fleming, Whetzel, Washington, Grant and Twigg (by Executive request):

An Act relating to the board of prison terms and paroles; amending section 3, chapter 114, Laws of 1935 as amended by section 13, chapter 134, Laws of 1967 and RCW 9.95.170; amending section 3, chapter 227, Laws of 1957 as amended by section 15, chapter 134, Laws of 1967 and RCW 9.95.200; amending section 4, chapter 227, Laws of

1957 as last amended by section 1, chapter 29, Laws of 1969 and RCW 9.95.210; amending section 8, chapter 227, Laws of 1957 as amended by section 17, chapter 134, Laws of 1967 and RCW 9.95.250; adding new sections to chapter 9.95 RCW; repealing section 9, chapter 340, Laws of 1955, section 1, chapter 32, Laws of 1959, section 9, chapter 98, Laws of 1969 and RCW 9.95.003; repealing section 10, chapter 340, Laws of 1955, section 2, chapter 32, Laws of 1959 and RCW 9.95.005; repealing section 3, chapter 32, Laws of 1959 and RCW 9.95.007; repealing section 4, chapter 133, Laws of 1955 and RCW 9.95.030; repealing section 1, chapter 158, Laws of 1929 and RCW 9.95.031; repealing section 2, chapter 158, Laws of 1929 and RCW 9.95.032; repealing section 5, chapter 133, Laws of 1955, section 2, chapter 138, Laws of 1961 and RCW 9.95.040; repealing section 7, chapter 133, Laws of 1955, section 10, chapter 200, Laws of 1967, section 46, chapter 81, Laws of 1971 and RCW 9.95.060; repealing section 9, chapter 133, Laws of 1955, section 1, chapter 106, Laws of 1961, section 1, chapter 68, Laws of 1972 ex. sess. and RCW 9.95.080; repealing section 10, chapter 133, Laws of 1955 and RCW 9.95.090; repealing section 11, chapter 133, Laws of 1955 and RCW 9.95.100; repealing section 12, chapter 133, Laws of 1955 and RCW 9.95.110; repealing section 13, chapter 133, Laws of 1955, section 2, chapter 106, Laws of 1961, section 2, chapter 98, Laws of 1969 and RCW 9.95.120; repealing section 3, chapter 98, Laws of 1969 and RCW 9.95.121; repealing section 4, chapter 98, Laws of 1969 and RCW 9.95.122; repealing section 5, chapter 98, Laws of 1969 and RCW 9.95.123; repealing section 6, chapter 98, Laws of 1969 and RCW 9.95.124; repealing section 7, chapter 98, Laws of 1969 and RCW 9.95.125; repealing section 14, chapter 133, Laws of 1955 and RCW 9.95.130; repealing section 16, chapter 133, Laws of 1955 and RCW 9.95.150; repealing section 18, chapter 133, Laws of 1955 and RCW 9.95.190; repealing section 7, chapter 114, Laws of 1935, section 14, chapter 134, Laws of 1967 and RCW 9.95.260; and declaring an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 2520, by Senator Grant (by Secretary of State request):

An Act relating to elections; amending section 29.79.030, chapter 9, Laws of 1965 and RCW 29.79.030; amending section 29.79.300, chapter 9, Laws of 1965 and RCW 29.79.300; amending section 29.79.310, chapter 9, Laws of 1965 and RCW 29.79.310; amending section 29.79.320, chapter 9, Laws of 1965 and RCW 29.79.320; adding a new section to chapter 29.30 RCW; and repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971 and RCW 29.30.080.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2521, by Senators Bailey, Scott and Fleming:

An Act relating to community colleges; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

SENATE BILL NO. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

An Act relating to the state highway system; amending section 14, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.065; amending section 32, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.155; amending section 40, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.195; amending section 48, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.235; amending section 123, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.610; amending section 2, chapter 85, Laws of 1967 ex. sess. as last amended by section 29, chapter 73, Laws of 1971 ex. sess. and RCW 47.39.020; amending section 47.04.080, chapter 13, Laws of 1961 and RCW 47.04.080; amending section 34, chapter 170, Laws of 1965 ex. sess. and RCW 47.04.100; adding new sections to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW; repealing section 47.56.370, chapter 13, Laws of 1961 and RCW 47.56.370; repealing section 10, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.371; and repealing section 11, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.372.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2523, by Senators Twigg and Peterson (Lowell) (by Insurance Commissioner request):

An Act relating to insurance; amending section .17.54, chapter 79, Laws of 1947 as amended by section 24, chapter 150, Laws of 1967 and RCW 48.17.540; amending section .31.01, chapter 79, Laws of 1947 as amended by section 11, chapter 194, Laws of 1961 and RCW 48.31.010; repealing section .04.04, chapter 79, Laws of 1947, section 17, chapter 237, Laws of 1967 and RCW 48.04.040; and repealing section .04.09, chapter 79, Laws of 1947, section 18, chapter 237, Laws of 1967 and RCW 48.04.090.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2524, by Senator Twigg:

An Act relating to insurance; amending section .05.14, chapter 79, Laws of 1947 as last amended by section 3, chapter 241, Laws of 1969 ex. sess. and RCW 48.05.140; amending section .17.53, chapter 79, Laws of 1947 as last amended by section 11, chapter 241, Laws of 1969 ex. sess. and RCW 48.17.530; amending section .18.29, chapter 79, Laws of 1947 and RCW 48.18.290; amending section 20, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.292; amending section 6, chapter 229, Laws of 1951 as amended by section 12, chapter 241, Laws of 1969 ex. sess. and RCW 48.20.052; amending section .24.06, chapter 79, Laws of 1947 as last amended by section 21, chapter 195, Laws of 1963 and RCW 48.24.060; and amending section .30.01, chapter 79, Laws of 1947 as amended by section 24, chapter 70, Laws of 1965 ex. sess. and RCW 48.30.010.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2525, by Senators Bailey, Woodall, Bottiger, Clarke, Wanamaker, Newschwander, Jones, Murray and Sellar (by Executive request):

An Act relating to the solicitation of funds for charity; adding a new chapter to Title 19 RCW; providing penalties; and prescribing effective dates.

Referred to Judiciary Committee.

SENATE BILL NO. 2526, by Senators Twigg and Peterson (Lowell) (by Insurance Commissioner request):

An Act relating to insurance; and amending section .18.12, chapter 79, Laws of 1947 as amended by section 10, chapter 193, Laws of 1957 and RCW 48.18.120.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2527, by Senators Grant, Stender, Ridder and Metcalf (by Department of Labor and Industries request):

An Act relating to industrial insurance; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 77, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.140; amending section 17, chapter 289, Laws of 1971 ex. sess. as amended by section 24, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.073; adding a new section to chapter 23, Laws of 1961 and to chapter 51.12 RCW; and making an appropriation.

Referred to Committee on Labor.

#### MOTION

On motion of Senator Grant, the rules were suspended and Senator Metcalf was permitted as an additional sponsor on Senate Bill No. 2527.

SENATE BILL NO. 2528, by Senator Day:

An Act relating to health care service contractors; amending section 2, chapter 268, Laws of 1947 as last amended by section 1, chapter 115, Laws of 1969 and RCW 48.44.020; amending section 13, chapter 197, Laws of 1961 as amended by section 3, chapter 115, Laws of 1969 and RCW 48.44.160; amending section 9, chapter 115, Laws of 1969 and RCW 48.44.162; adding a new section to chapter 268, Laws of 1947 and to chapter 48.44 RCW; and prescribing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2529, by Senators Francis, Bottiger, Metcalf, Lewis (Bob), Van Hollebeke and Grant:

An Act relating to juveniles; amending section 15, chapter 302, Laws of 1961 and RCW 13.04.230; adding a new section to chapter 13.04 RCW; and repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250.

Referred to Judiciary Committee.

SENATE BILL NO. 2530, by Senators Henry, Guess, Wanamaker, Walgren and Donohue (by Department of Motor Vehicles request):

An Act relating to vehicle license registration; amending section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040; amending section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045; amending section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060; amending section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210; amending section 60, chapter 145, Laws of 1967 ex. sess. and RCW 46.16.237; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2531, by Senator Twigg:

An Act relating to environmental policy guidelines; and amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.210.030.

Referred to Committee on Ecology.

SENATE BILL NO. 2532, by Senator Twigg:

An Act relating to public utility excise taxes; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; and prescribing an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2533, by Senators Peterson (Lowell), Metcalf, Wanamaker, Woody and Atwood:

An Act relating to state institutions; adding a new chapter to Title 72 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2534, by Senators Guess, Day, Washington, Stortini and Sandison:

An Act relating to higher education; making an appropriation; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2535, by Senators Woody, Bottiger and Twigg:

An Act relating to the dissolution of marriage by divorce; and adding a new section to chapter 26.08 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2536, by Senator Ridder:

An Act relating to guardianship; and adding a new section to chapter 11.92 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2537, by Senators Greive, Ridder, Stortini, Washington, Connor and Knoblauch:

An Act relating to certain public officials; and adding a new section to chapter 150, Laws of 1965 ex. sess. and to chapter 42.21 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2538, by Senators Rasmussen and Lewis (Harry):



An Act relating to public employment; adding a new section to chapter 41.06 RCW; adding a new section to chapter 28B.16 RCW; and prescribing penalties.

Referred to Committee on State Government.

SENATE BILL NO. 2539, by Senators Walgren and Sandison:

An Act relating to state highways; amending section 2, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.005; amending section 17, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.080; amending section 18, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.085; amending section 27, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.130; amending section 61, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.300; amending section 115, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.570; amending section 148, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.735; amending section 155, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.770; amending section 156, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.775; amending section 2, chapter 85, Laws of 1967 ex. sess. as last amended by section 29, chapter 73, Laws of 1971 ex. sess. and RCW 47.39.020; adding new sections to chapter 47.17 RCW; repealing section 26, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.125; and repealing section 108, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.535.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2540, by Senators Woody, Bottiger and Atwood:

An Act relating to the salaries of district court judges; and amending section 101, chapter 299, Laws of 1961 as amended by section 1, chapter 192, Laws of 1969 ex. sess. and RCW 3.58.020.

Referred to Judiciary Committee.

SENATE BILL NO. 2541, by Senator Talley:

An Act relating to revenue and taxation of timber and forest lands; and amending section 10, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.100.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2542, by Senators Herr, Wanamaker and Peterson (Lowell):

An Act relating to business regulations; amending section 3, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.030; amending section 4, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.040; amending section 5, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.050; amending section 7, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.070; amending section 10, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.100; amending section 17, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.170; amending section 19, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.190; amending section 20, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.200; declaring an emergency; and making an effective date.

Referred to Committee on Commerce.

SENATE BILL NO. 2543, by Senators Mardesich, Stender and Grant:

An Act relating to labor relations and practices; adding a new chapter to Title 49 RCW; and enacting a "Washington State Labor Relations Act".

Referred to Committee on Labor.

SENATE BILL NO. 2544, by Senators Durkan, Peterson (Ted) and Connor:

An Act relating to the registration and regulation of contractors; amending section 1, chapter 77, Laws of 1963 as last amended by section 1, chapter 118, Laws of 1972 ex. sess. and RCW 18.27.010; amending section 2, chapter 77, Laws of 1963 and RCW 18.27.020; amending section 3, chapter 77, Laws of 1963 and RCW 18.27.030; amending section 4, chapter 77, Laws of 1963 as last amended by section 2, chapter 118, Laws of 1972 ex. sess. and RCW 18.27.040; amending section 7, chapter 77, Laws of 1963 as amended by section 2, chapter 126, Laws of 1967 and RCW 18.27.070; amending section 9, chapter 77, Laws of 1963 as last amended by section 3, chapter 126, Laws of 1967 and RCW 18.27.090;

amending section 5, chapter 118, Laws of 1972 ex. sess. and RCW 18.27.120; amending section 43.22.010, chapter 8, Laws of 1965 as last amended by section 2, chapter 66, Laws of 1971 and RCW 43.22.010; and prescribing penalties.

Referred to Committee on Labor.

SENATE JOINT MEMORIAL NO. 114, by Senators Fleming and Day:

Memorializing Congress to provide for quality health care services on a national basis.

Referred to Committee on Social and Health Services.

SENATE JOINT RESOLUTION NO. 116, by Senators Washington, Metcalf and Grant:

Providing a new method for amending the Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 117, by Senators Washington, Scott, Ridder,

Connor, Greive, Durkan, Dore, Murray, Whetzel, Herr and Fleming:

Amending the Constitution to permit the use of motor vehicle funds for public transportation.

Referred to Committee on Transportation and Utilities.

#### MOTION

On motion of Senator Washington, the rules were suspended and Senators Herr and Fleming were permitted as additional sponsors on Senate Joint Resolution No. 117.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2517, 2518, 2519, 2525, 2529, 2530, 2533, 2534 and 2537; also Senate Joint Resolution No. 117.

ENGROSSED HOUSE BILL NO. 71, by Representatives Conner and Gilleland:

Changing powers and responsibilities of the director of motor vehicles.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 75, by Representatives Conner, Adams, Ceccarelli and Nelson:

Making it a crime to place harmful objects and substances in food.

Referred to Judiciary Committee.

HOUSE BILL NO. 152, by Representatives Conner and Savage:

Establishing new State Route 111.

Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 160, by Representatives Blair and Martinis (by Municipal Committee request):

Changing the time periods for permitting the disposal of personal property in the possession of certain authorities.

Referred to Judiciary Committee.

HOUSE BILL NO. 185, by Representatives Anderson, Charette and Bausch:

Establishing state highway route number 115.

Referred to Committee on Transportation and Utilities.

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, I will be a little out of order and make the speech before I make the motion.

"Gentlemen, for your information we will be meeting this Saturday at 9:30 a.m. and working until at least early afternoon on a calendar. You are aware that we have committee meetings scheduled for 10:30. We are late right now for committee meetings.

"Those committees which have been meeting at the ten-thirty to twelve-thirty hour on

Tuesdays and Thursdays will no longer hold morning meetings. They will be rescheduled to the afternoon two to four period. Those afternoon meetings scheduled from two to four p.m. will be reduced to one hour. One hour will be allocated for those committees that are now scheduled from the ten-thirty to twelve-thirty meetings. The purpose for this is to allow us to spend every morning on floor action on bills.

"You are well aware that this weekend is the last day which you will be allowed to introduce bills. We have only next week to act on Senate bills so what we are doing is clearing the mornings for floor action. We are also very possibly facing evening meetings at least two days of the week. We are not certain yet what days, possibly Tuesday and Thursday. But in any event, that possibility is very strong that we may have a couple of evening meetings for floor action if we are not able to clear our calendar fast enough. So that you may schedule yourself, you be aware that we will be meeting 9:30 Saturday, working until the early afternoon and then every morning from now on we will be on floor action from 9:30 until 12:30."

#### MOTION

At 10:45 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, February 9, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-THIRD DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 9, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Dore and Scott. On motion of Senator Newschwander, Senators Atwood and Scott were excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Bill Talley and Janet Wend, presented the Colors. Reverend Thomas Hesselbrock, associate pastor of St. Michael's Church of Olympia, offered the following prayer:

"FATHER, GIVE US COURAGE: THE COURAGE TO SEE THINGS AS THEY REALLY ARE, THE COURAGE TO FORM OUR PRINCIPLES ACCORDING TO YOUR DECREES AND LAWS AND TO STAND UP FOR THOSE PRINCIPLES AT ALL TIMES, AND THE COURAGE TO TRY TO UNITE THE REALITY WE SEE AND THE PRINCIPLES WE BELIEVE. MAY OUR VERY LIVES AND OUR SERVICE TO THE PEOPLE WE GOVERN REFLECT THAT UNITY, AND BRING ALL OF US CLOSER TO THE REALIZATION OF THE PEACE YOU HAVE PROMISED. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

February 9, 1973.

SENATE BILL NO. 2213, implementing the law relating to the practice of registered nurses (reported by Committee on Social and Health Services):

Recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Greive, Herr, Jones, Keefe, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 7, 1973.

SENATE BILL NO. 2257, increasing filing costs from two to five dollars under the nonresident motor vehicle law (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Bottiger, Jolly, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

February 8, 1973.

SENATE BILL NO. 2307, implementing law relating to type and size of third class school district boards (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Newschwander, Odegaard.  
Passed to Committee on Rules for second reading.

February 7, 1973.

SENATE BILL NO. 2317, changing penalties under Washington Clean Air Act (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Murray, Van Hollebeke, Whetzel.  
Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2321, providing that school districts shall elect to cover services of employees under unemployment compensation (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder, Stender.  
Passed to Committee on Rules for second reading.

February 7, 1973.

HOUSE BILL NO. 194, including air pollution control authorities within the proposed Interlocal Cooperation Act (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Murray, Van Hollebeke, Whetzel.  
Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENTS

February 8, 1973.

JAMES G. McCURDY, to the position of member of the Washington State Parks and Recreation Commission, appointed by the Governor on March 20, 1967 for the term ending December 31, 1974, succeeding Ted R. McTighe (reported by the Committee on Parks and Recreation):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules.

February 8, 1973.

RALPH MACKEY, to the position of member of the Washington State Parks and Recreation Commission, appointed by the Governor on January 9, 1973 for the term ending December 31, 1978, succeeding himself (reported by the Committee on Parks and Recreation):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules.

February 8, 1973.

WILFRED WOODS, to the position of member of the Washington State Parks and Recreation Commission, appointed by the Governor on January 9, 1973 for the term ending December 31, 1978, succeeding himself (reported by the Committee on Parks and Recreation):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules.

#### MESSAGE FROM THE HOUSE

February 8, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 6,  
ENGROSSED HOUSE BILL NO. 225,  
ENGROSSED HOUSE BILL NO. 277,  
HOUSE BILL NO. 307,  
HOUSE BILL NO. 308,  
HOUSE BILL NO. 309,  
HOUSE BILL NO. 310,  
HOUSE BILL NO. 311,  
HOUSE BILL NO. 312,  
HOUSE BILL NO. 369,  
ENGROSSED HOUSE BILL NO. 385, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 10:35 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:35 a.m.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2545, by Senators Scott and Francis:

An Act relating to cruelty to animals; adding a new section to chapter 146, Laws of 1901 and to chapter 16.52 RCW; and providing penalties.

Referred to Committee on Agriculture.

SENATE BILL NO. 2546, by Senator Walgren:

An Act relating to unemployment compensation; and amending section 19, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.323.

Referred to Committee on Labor.

SENATE BILL NO. 2547, by Senators Grant, Ridder and Durkan:

An Act relating to health care; amending section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010; adding a new chapter to Title 48 RCW; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Social and Health Services.

#### MOTION

On motion of Senator Grant, the rules were suspended and Senators Ridder and Durkan were permitted as additional sponsors on Senate Bill No. 2547.

SENATE BILL NO. 2548, by Senators Bailey, Matson and Peterson (Lowell):

An Act relating to game; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2549, by Senator Knoblauch:

An Act relating to public utilities; and adding a new section to chapter 80.04 RCW.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2550, by Senators Canfield and Woodall:

An Act relating to farm workers; authorizing the right to bargain collectively; retaining certain individual rights; and adding a new chapter to Title 49 RCW.  
Referred to Committee on Labor.

SENATE BILL NO. 2551, by Senators Wanamaker and Walgren:

An Act relating to motor vehicles; and amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 7, chapter 103, Laws of 1972 ex. sess. and RCW 46.68.130.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2552, by Senators Walgren, Wanamaker and Sandison:

An Act relating to revenue and taxation; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 2, chapter 24, Laws of 1972 ex. sess. and RCW 46.68.100; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 24, Laws of 1972 ex. sess. and RCW 82.36.020; and amending section 19, chapter 22, Laws of 1963 ex. sess. as amended by section 5, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.190.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2553, by Senators Walgren and Bottiger:

An Act relating to crimes and criminal penalties; amending section 1, chapter 27, Laws of 1899 as amended by section 373, chapter 249, Laws of 1909 and RCW 9.45.040; and amending section 2, page 96, Laws of 1890 as last amended by section 6, chapter 216, Laws of 1929 and RCW 19.48.110.

Referred to Judiciary Committee.

SENATE BILL NO. 2554, by Senators Murray and Metcalf:

An Act relating to animals; amending section 17, chapter 146, Laws of 1901 and RCW 16.52.010; amending section 1, chapter 146, Laws of 1901 and RCW 16.52.020; amending section 2, chapter 146, Laws of 1901 and RCW 16.52.030; amending section 14, chapter 146, Laws of 1901 and RCW 16.52.040; amending section 10, chapter 146, Laws of 1901 and RCW 16.52.050; amending section 9, chapter 27, Laws of 1893 and RCW 16.52.060; amending section 8, chapter 27, Laws of 1893 and RCW 16.52.065; amending section 4, chapter 146, Laws of 1901 and RCW 16.52.070; amending section 5, chapter 146, Laws of 1901 and RCW 16.52.080; amending section 6, chapter 146, Laws of 1901 and RCW 16.52.090; amending section 12, chapter 146, Laws of 1901 and RCW 16.52.100; amending section 7, chapter 146, Laws of 1901 and RCW 16.52.120; amending section 8, chapter 146, Laws of 1901 and RCW 16.52.130; amending section 11, chapter 146, Laws of 1901 and RCW 16.52.140; amending section 9, chapter 146, Laws of 1901 and RCW 16.52.160; amending section 1, chapter 105, Laws of 1941 and RCW 16.52.190; adding new sections to chapter 146, Laws of 1901 and to chapter 16.52 RCW; repealing section 1, page 103, Laws of 1871, section 840, Code of 1881 and RCW 16.52.095; repealing section 13, chapter 146, Laws of 1901 and RCW 16.52.110; repealing section 16, chapter 146, Laws of 1901 and RCW 16.52.165; and prescribing penalties.

Referred to Committee on Local Government.

SENATE BILL NO. 2555, by Senators Herr, Donohue, Twigg, Lewis (Harry), Henry, Keefe, Woodall and Connor:

An Act relating to revenue and taxation, particularly to the taxation of liquor; reducing the tax upon each retail sale of spirits in the original package from four cents per fluid ounce to two cents per fluid ounce; amending section 82.08.150, chapter 15, Laws of

1961 as last amended by section 9, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.150; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2556, by Senators Rasmussen and Lewis (Harry) (by Employment Security Department request):

An Act relating to employment security; amending section 59, chapter 35, Laws of 1945 as last amended by section 4, chapter 8, Laws of 1953 ex. sess. and RCW 50.12.200; and declaring an effective date.

Referred to Committee on Labor.

SENATE BILL NO. 2557, by Senators Herr, Greive and Stortini:

An Act relating to public health and safety; prohibiting the use of flammable fabrics in children's sleepwear; and adding a new chapter to Title 70 RCW.

Referred to Committee on Commerce.

SENATE BILL NO. 2558, by Senator Day:

An Act relating to business and occupation taxes; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2559, by Senators Sandison and Donohue:

An Act relating to agricultural fairs; amending section 1, chapter 85, Laws of 1969 and RCW 15.76.165; and declaring an emergency.

Referred to Committee on Agriculture.

SENATE BILL NO. 2560, by Senators Walgren and Rasmussen:

An Act relating to prepaid legal services; defining crimes; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2561, by Senator Walgren (by Washington Judicial Retirement System request):

An Act relating to judicial retirement; amending section 1, chapter 229, Laws of 1937 as last amended by section 1, chapter 30, Laws of 1971 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as amended by section 4, chapter 30, Laws of 1971 and RCW 2.12.020; amending section 3, chapter 229, Laws of 1937 as last amended by section 5, chapter 30, Laws of 1971 and RCW 2.12.030; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 28, Laws of 1967 and RCW 2.12.050; amending section 2, chapter 96, Laws of 1970 ex. sess. and RCW 2.12.100; amending section 8, chapter 30, Laws of 1971 and RCW 2.12.900; adding new sections to chapter 2.12 RCW; and repealing section 6, chapter 229, Laws of 1937, section 2, chapter 19, Laws of 1945, section 2, chapter 79, Laws of 1951, section 2, chapter 243, Laws of 1957, section 6, chapter 30, Laws of 1971, section 8, chapter 81, Laws of 1971, and RCW 2.12.060.

Referred to Judiciary Committee.

SENATE BILL NO. 2562, by Senator Walgren:

An Act relating to transportation facilities.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2563, by Senator Walgren:

An Act relating to transportation facilities.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2564, by Senator Walgren:

An Act relating to transportation facilities.

Referred to Committee on Transportation and Utilities.



SENATE BILL NO. 2565, by Senators Ridder and Peterson (Lowell):

An Act relating to motor vehicle repairs; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2566, by Senator Walgren:

An Act relating to transportation facilities.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2567, by Senator Walgren:

An Act relating to transportation.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2568, by Senator Gardner (by Washington State Superintendent of Public Instruction request):

An Act relating to the issuance of warrants; amending sections 28A.66.010 and 28A.66.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.010 and 28A.66.040; amending section 36.22.090, chapter 4, Laws of 1963 and RCW 36.22.090; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.60 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and creating a new section.

Referred to Committee on Education.

SENATE BILL NO. 2569, by Senators Gardner and Donohue:

An Act relating to drivers' training schools; adding new sections to chapter 12, Laws of 1961 and to chapter 46.82 RCW; repealing section 46.82.010, chapter 12, Laws of 1961, section 106, chapter 32, Laws of 1967 and RCW 46.82.010; repealing section 46.82.020, chapter 12, Laws of 1961 and RCW 46.82.020; repealing section 46.82.030, chapter 12, Laws of 1961 and RCW 46.82.030; repealing section 46.82.040, chapter 12, Laws of 1961 and RCW 46.82.040; repealing section 46.82.050, chapter 12, Laws of 1961 and RCW 46.82.050; repealing section 46.82.060, chapter 12, Laws of 1961, section 4, chapter 214, Laws of 1961, section 107, chapter 32, Laws of 1967 and RCW 46.82.060; repealing section 46.82.070, chapter 12, Laws of 1961, section 2, chapter 214, Laws of 1961, section 108, chapter 32, Laws of 1967 and RCW 46.82.070; repealing section 46.82.080, chapter 12, Laws of 1961 and RCW 46.82.080; repealing section 46.82.090, chapter 12, Laws of 1961, section 109, chapter 32, Laws of 1967 and RCW 46.82.090; repealing section 46.82.100, chapter 12, Laws of 1961 and RCW 46.82.100; repealing section 46.82.110, chapter 12, Laws of 1961 and RCW 46.82.110; repealing section 46.82.120, chapter 12, Laws of 1961, section 110, chapter 32, Laws of 1967 and RCW 46.82.120; repealing section 46.82.130, chapter 12, Laws of 1961 and RCW 46.82.130; repealing section 46.82.140, chapter 12, Laws of 1961, section 48, chapter 170, Laws of 1965 ex. sess. and RCW 46.82.140; repealing section 46.82.150, chapter 12, Laws of 1961 and RCW 46.82.150; repealing section 46.82.160, chapter 12, Laws of 1961 and RCW 46.82.160; repealing section 46.82.170, chapter 12, Laws of 1961 and RCW 46.82.170; repealing section 46.82.180, chapter 12, Laws of 1961, section 3, chapter 214, Laws of 1961 and RCW 46.82.180; repealing section 46.82.190, chapter 12, Laws of 1961, section 111, chapter 32, Laws of 1967 and RCW 46.82.190; repealing section 46.82.200, chapter 12, Laws of 1961 and RCW 46.82.200; repealing section 46.82.210, chapter 12, Laws of 1961, section 112, chapter 32, Laws of 1967 and RCW 46.82.210; repealing section 46.82.220, chapter 12, Laws of 1961 and RCW 46.82.220; repealing section 46.82.230, chapter 12, Laws of 1961 and RCW 46.82.230; repealing section 46.82.240, chapter 12, Laws of 1961 and RCW 46.82.240; repealing section 46.82.250, chapter 12, Laws of 1961 and RCW 46.82.250; repealing section 46.82.260, chapter 12, Laws of 1961 and RCW 46.82.260; repealing section 46.82.270, chapter 12, Laws of 1961 and RCW 46.82.270; and providing penalties.

Referred to Committee on Education.

SENATE BILL NO. 2570, by Senators Ridder, Bailey, Woodall and Van Hollebeke:

An Act relating to the Washington state patrol retirement system; amending section 43.43.120, chapter 8, Laws of 1965 as amended by section 1, chapter 12, Laws of 1969 and RCW 43.43.120; amending section 43.43.220, chapter 8, Laws of 1965 and RCW 43.43.220; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 1, chapter 278, Laws of 1971 ex. sess. and RCW 43.43.260; amending section 43.43.270, chapter 8, Laws of 1965 as amended by section 6, chapter 12, Laws of 1969 and RCW 43.43.270; and amending section 43.43.280, chapter 8, Laws of 1965 as amended by section 7, chapter 12, Laws of 1969 and RCW 43.43.280.

Referred to Committee on State Government.

SENATE BILL NO. 2571, by Senators Walgren, Whetzel and Clarke:

An Act relating to industrial development corporations; and amending section 5, chapter 162, Laws of 1963 and RCW 31.24.050.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

An Act relating to sewer districts; amending section 1, chapter 210, Laws of 1941 as last amended by section 1, chapter 272, Laws of 1971 ex. sess. and RCW 56.04.020; amending section 10, chapter 210, Laws of 1941 as last amended by section 1, chapter 103, Laws of 1959 and RCW 56.08.010; amending section 22, chapter 210, Laws of 1941 as amended by section 11, chapter 103, Laws of 1959 and RCW 56.16.090; and adding a new section to chapter 56.20 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2573, by Senators Sandison, Guess and Donohue:

An Act relating to community colleges; and amending section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.060.

Referred to Committee on Higher Education.

SENATE BILL NO. 2574, by Senators Guess and Sandison:

An Act relating to Eastern Washington State College; and amending section 1, chapter 28, Laws of 1971 ex. sess. and RCW 28B.40.226.

Referred to Committee on Higher Education.

SENATE BILL NO. 2575, by Senator Talley:

An Act relating to public utility districts; amending section 19, chapter 390, Laws of 1955 as last amended by section 1, chapter 196, Laws of 1963 and RCW 54.16.180; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2576, by Senator Day:

An Act relating to irrigation districts; amending section 1, chapter 57, Laws of 1949 and RCW 87.28.010; amending section 2, chapter 57, Laws of 1949 as last amended by section 99, chapter 56, Laws of 1970 ex. sess. and RCW 87.28.020; amending section 3, chapter 57, Laws of 1949 and RCW 87.28.030; and declaring an emergency.

#### MOTION

On motion of Senator Day, Senate Bill No. 2576 was referred to the Committee on Agriculture.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2555 and 2570.

SENATE JOINT RESOLUTION NO. 118, by Senator Odegaard:

Providing for a unicameral legislature.

Referred to Committee on Constitution and Elections.

SENATE CONCURRENT RESOLUTION NO. 112, by Senators Bottiger and Ridder:  
Directing accreditation of Laughbon High School by state board of education.  
Referred to Committee on Education.

HOUSE BILL NO. 6, by Representative Kilbury:  
Providing for stops by buses at railroad crossings.  
Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 225, by Representatives Amen, Haussler, Schumaker,  
Tilly and Kalich:  
Implementing laws of motor vehicle equipment.  
Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 277, by Representatives Nelson and Douthwaite:  
Providing a specific day for the legislative body of code cities to meet for the purpose  
of fixing the budget.  
Referred to Committee on Local Government.

HOUSE BILL NO. 307, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to judges' retirement system—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 308, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to fees of clerks of superior courts—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 309, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to county budgets—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 310, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to industrial insurance—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 311, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to veterans' bonus—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 312, by Representatives Knowles, Julin and Charette (by Code  
Reviser's request):  
Pertaining to motor vehicle fuel taxes—code correction.  
Referred to Judiciary Committee.

HOUSE BILL NO. 369, by Representatives Conner, Morrison, Knowles, Martinis,  
Adams, Warnke, Bausch, Beck, Gaines and Kilbury:  
Changing pension benefits of volunteer firemen.  
Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 385, by Representatives Van Dyk, Kelley and  
Patterson:  
Establishing animal technicians, allowing state veterinary board to employ a secretary,  
and providing for suspension or revocation of veterinary license if revoked in another state.  
Referred to Committee on Agriculture.

## SECOND READING

SENATE BILL NO. 2339, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

Creating an advisory council to the department of fisheries.

The Senate resumed consideration of Senate Bill No. 2339 on second reading. Amendments to page 1, section 1, line 23 and page 2, section 2, line 2 by Senator Peterson (Lowell) were adopted on February 7, 1973. An amendment to page 2, section 2, line 1 by Senator Lewis (Harry) was moved for adoption on February 7, 1973. There being no objection, the amendment by Senator Lewis (Harry) was withdrawn.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 2, section 2, line 1, after the comma, strike "by the legislative interim committee on fisheries, game, and game fish" and the Peterson amendment inserting "or if such committee is not in existence, then such appointments shall be made by a concurring vote of the senate and house standing committees on natural resources" and insert "by the Governor"

Debate ensued.

Senators Greive, Bailey and Day demanded a Call of the Senate. A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the call of the Senate, all members being present except Senators Atwood, Dore and Scott who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

## POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Ted Peterson yield to a question? Senator, what is the name of the present committee or commission that the Governor appoints?"

Senator Peterson (Ted): "It just says it is the Governor's Fisheries Commission. It does not say it is an advisory council or any terminology like that. I have not even seen them in print anywhere and I do not even know who the members are."

Senator Lewis (Harry): "Was this created by the legislature, this commission?"

Senator Peterson (Ted): "No, no, no."

Senator Lewis (Harry): "Thank you, Senator Peterson."

Further debate ensued.

## MOTION

Senator Greive moved that the amendment by Senator Lewis (Harry) be laid upon the table.

Senator Lewis (Harry) demanded a roll call and the demand was sustained by Senators Connor, Guess, Rasmussen, Clarke, Jones, Newschwander, Murray, Herr and Wanamaker.

## ROLL CALL

The Secretary called the roll and the motion by Senator Greive carried and the amendment was laid upon the table by the following vote: Yeas, 30; nays, 16; excused, 3.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—30.

Voting nay: Senators Canfield, Clarke, Francis, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Sellar, Stender, Twigg, Wanamaker, Whetzell, Woodall—16.

Excused: Senators Atwood, Dore, Scott—3.

On motion of Senator Fleming, the following amendment was adopted:

On page 2, section 2, line 1, after "state," and before "by" insert "at least one member of whom shall, whenever possible, be of Indian or other minority extraction."

On motion of Senator Peterson (Lowell), the following amendment was adopted:

On page 2, section 2, line 7, after "fish" and before the period insert "or if such committee is not in existence, then the chairmen of the respective senate and house committees on natural resources shall be nonvoting members of the council and shall serve as liaison between the advisory council and their respective standing committees"

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 2, section 2, line 14, strike the period and insert ": PROVIDED, That four of the nine members initially appointed shall be appointed for a one-year term and five of the nine members initially appointed shall be appointed for a two-year term."

Senator Peterson (Lowell) moved adoption of the following amendment:

On page 2, section 3, line 22 after "fish" and before "a" insert "or if such committee is not in existence, then to the respective natural resources committees of the house and senate,"

On motion of Senator Lewis (Harry), the following amendment to the amendment by Senator Peterson (Lowell) to page 2, section 3, line 22 was adopted:

Amend the Peterson amendment on page 2, section 3, line 22, on line 4 of the amendment after "senate," insert "and to the legislature"

The motion by Senator Peterson (Lowell) carried and the amendment, as amended, was adopted.

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed Senate Bill No. 2339 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2339, and the bill passed the Senate by the following vote: Yeas, 33; nays, 14; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—33.

Voting nay: Senators Canfield, Clarke, Jones, Lewis (Harry), Lewis (Bob), Matson, Murray, Newschwander, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—14.

Excused: Senators Atwood, Scott—2.

ENGROSSED SENATE BILL NO. 2339, having received the 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 Senator Mardesich, the Senate dispensed with the Call of the Senate.

#### SECOND READING

SENATE BILL NO. 2033, by Senator Odegaard:  
Recounting of state ballot measures to be at state expense.

#### REPORT OF STANDING COMMITTEE

January 30, 1973.

SENATE BILL NO. 2033, recounting of state ballot measures to be at state expense (reported by Committee on Constitution and Elections):

Recommendation: Do pass with the following amendment:

In section 1, line 6, beginning with "Whenever" strike all the material down to and including "expense." on line 13 and insert:

"When the official canvass of returns of any election reveals that the difference in the number of votes cast for the approval of a statewide measure and the number of votes cast for the rejection of such measure is not more than one-half of one percent of the total number of votes cast on such measure, the secretary of state shall direct that a recount of all votes cast on such measure be made on such measure, in the manner provided by RCW 29.64.030 and 29.64.040, and the cost of such recount shall be at state expense."

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcaif, Stender, Stortini, Washington.

The bill was read the second time by sections.

Senator Odegaard moved adoption of the committee amendment.

Debate ensued.

The motion by Senator Odegaard carried and the committee amendment was adopted.

Senator Lewis moved adoption of the following amendment:

On page 1, following section 1 insert a new section as follows: "Section 2. Sec. 29.64.030, chapter 9, Laws of 1965 and RCW 29.64.030 are each amended to read as follows:

At the time and place fixed for making a recount of paper ballots, the canvassing board or their duly authorized representatives, in the presence of all witnesses who may be in attendance, shall open the sealed containers containing the ballots to be recounted, and shall recount them. Ballots shall be handled only by the members of the canvassing board, their duly authorized representatives or by the clerk or other employees of the board. Witnesses shall be permitted to see the ballots but they shall not be permitted to touch them, and the canvassing board shall not permit the counting or tabulation of votes shown on the ballots for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such ballots for the nomination, election, or question or proposition concerning which a recount of ballots was applied for.

At the time and place fixed for making a recheck of the votes cast on voting machines the canvassing board or their duly authorized representatives in the presence of all witnesses who may be in attendance, shall open the voting machines to be rechecked, and shall recheck them. Witnesses shall be permitted to watch the recheck of the voting machines, and the canvassing board shall not permit the rechecking of votes for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such voting machines for the nomination, election, or question or proposition concerning which a recount of voting machines was applied for.

*At the time and place fixed for making a verification of the votes cast by punchcard ballots, the canvassing board or their duly authorized representatives in the presence of all witnesses who may be in attendance, shall select at random a number of precincts equal to five percent of the total number of such precincts or fifty of such precincts, whichever number is the smaller. The punchcard ballots cast at such precincts shall be manually counted by persons equally representing each major political party appointed by and under the direction of the county auditor or officer charged with the conduct of such election. If the total results of such manual count combined with the count of the applicable absentee, questioned, and challenged ballots involved can be reconciled within one-half of one percent of the official election returns for such precincts, and such difference would not change the outcome of the election, no further recount shall be made and the election returns as reported for the remaining punchcard voting precincts shall be deemed to have been verified. However, if the results of such manual recount cannot be so reconciled with the official returns, the county canvassing board shall direct that either:*

*(a) All the remaining punchcard ballots be manually counted or;*

*(b) A new computer program be prepared at county expense and subject to certification as provided by chapter 29.34 RCW and that all punchcard ballots voted at the election concerned be recounted by computer by use of such new program and the results of such count shall be deemed the final and official election returns.*

At any time before the ballots from all of the precincts listed in the application for the

recount have been recounted, the applicant may file with the board a written request to stop the recount and not recount the ballots from the precincts so listed and which have not been recounted prior to the time of such request: PROVIDED, That this provision shall not apply to a recount when a recount is being made of any regular or special district election whereat the precincts were consolidated and as a result thereof the application for a recount embraced all ballots cast at such election.

If, upon such request, the board finds that the results of the votes in the precincts recounted, if substituted for the results of the votes in such precincts as shown in the abstract of the votes in such precincts, would not cause the applicant, if a person for whom votes were cast for nomination or election, to be declared nominated or elected or if an election upon a question or proposition would not cause a result contrary to the result thereof as declared prior to such recount, it shall grant such request and shall not recount the ballots of the precincts listed in the application for recount which have not been recounted prior to such time. If the board finds otherwise, it may deny such request and shall continue to recount ballots until the ballots from all of the precincts listed in the application for recount have been recounted: PROVIDED, That if such request is denied it may be renewed from time to time. Upon any such renewal the board shall consider and act upon the request in the same manner as provided in this section in connection with an original request.

#### POINT OF ORDER

Senator Greive: "I contend that this particular amendment enlarges the scope and object of the bill. It deals with other than statewide measures. The procedure for recounting punchcard voting which is not in any way included in the original measure."

#### MOTION

On motion of Senator Henry, Senate Bill No. 2033, the committee amendment adopted by the Senate, the amendment by Senator Lewis (Harry), and the point of order as raised by Senator Greive, were ordered held on the second reading calendar for Saturday, February 10, 1973.

#### SECOND READING

SENATE BILL NO. 2009, by Senators Canfield and Jolly (by Joint Committee on Nuclear Energy request):

Providing for an advisory council on science and technology and defining its functions.

#### MOTION

On motion of Senator Day, Senate Bill No. 2009 was re-referred to the Committee on Social and Health Services.

#### CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Sandison, the appointment of RAYMOND GARCIA as a member of the Board of Trustees of Central Washington State College was confirmed.

#### APPOINTMENT OF RAYMOND GARCIA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Atwood, Scott—2.

#### MOTION

On motion of Senator Sandison, the appointment of MRS. NEAL TOURTELLOTTE as a member of the Board of Trustees of Evergreen State College was confirmed.

#### APPOINTMENT OF MRS. NEAL TOURTELLOTTE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Atwood, Scott—2.

#### MOTION

On motion of Senator Sandison, the appointment of PAUL B. HANSON as a member of the Board of Trustees of Western Washington State College was confirmed.

#### APPOINTMENT OF PAUL B. HANSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Atwood, Scott—2.

#### MOTION

On motion of Senator Sandison, the appointment of JAMES T. QUIGG as a member of the Board of Trustees of Community College District No. 2 was confirmed.

#### APPOINTMENT OF JAMES T. QUIGG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Atwood, Scott—2.



## SECOND READING

SENATE BILL NO. 2077, by Senators Woodall, Guess and Jolly:  
Providing for mandatory death penalty in specified cases.

## REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2077, providing for mandatory death penalty in specified cases (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15, after "officer" insert "in uniform"

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Woodall, the committee amendment was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 2, section 1, line 2, insert a new subsection to read as follows:

"(6) The victim was killed without design to effect death by a person engaged in the commission of or in an attempt to commit, or in withdrawing from the scene of, a robbery, rape, burglary, larceny, or arson in the first degree."

Debate ensued.

Senator Ridder moved adoption of the following amendment to the amendment by Senator Rasmussen:

On page 2, section 1, line 1, strike "without" and insert "with"

Further debate ensued.

The amendment by Senator Ridder to the amendment by Senator Rasmussen was not adopted on a rising vote.

The motion by Senator Rasmussen failed and the amendment to page 2, section 1, line 2 was not adopted.

Senator Knoblauch moved adoption of the following amendment:

On page 2, section 1, line 2, following line 2 insert a new subparagraph to read as follows:

"(6) The defendant has caused the death of a person by selling heroin to the victim."

Debate ensued.

The motion by Senator Knoblauch failed and the amendment to page 2, section 1, line 2 was not adopted.

## MOTION

On motion of Senator Matson, Senator Stender was excused.

On motion of Senator Woodall, the following amendment was adopted:

After Section 4, add the following sections:

"Sec. 5. Section 16, page 78, Laws of 1854 as last amended by section 2, chapter 49, Laws of 1970 1st ex. sess. and RCW 9.48.060 are each amended to read as follows:

Any homicide other than, murder in the first degree, [or] murder in the second degree, or murder in the third degree, and not being excusable or justifiable is manslaughter.

Manslaughter is punishable by imprisonment in the state penitentiary for not more than twenty years, or by imprisonment in the county jail for not more than one year, or by a fine of not more than one thousand dollars, or by both fine and imprisonment.

Sec. 6. Section 2, chapter 133, Laws of 1955 and RCW 9.95.010 are each amended to read as follows:

When a person is convicted of any felony, except treason, murder in the first degree, murder in the second degree, or carnal knowledge of a child under ten years, and a new trial is not granted, the court shall sentence such person to the penitentiary, or, if the law allows and the court sees fit to exercise such discretion, to the reformatory, and shall fix the maximum term of such person's sentence only.

The maximum term to be fixed by the court shall be the maximum provided by law for the crime of which such person was convicted, if the law provides for a maximum term. If the law does not provide a maximum term for the crime of which such person was convicted the court shall fix such maximum term, which may be for any number of years up to and including life imprisonment but in any case where the maximum term is fixed by the court it shall be fixed at not less than twenty years.

Sec. 7. Section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040 are each amended to read as follows:

Within six months after the admission of a convicted person to the penitentiary, reformatory, or such other state penal institution as may hereafter be established, the board of prison terms and paroles shall fix the duration of his confinement. The term of imprisonment so fixed shall not exceed the maximum provided by law for the offense of which he was convicted or the maximum fixed by the court where the law does not provide for a maximum term.

The following limitations are placed on the board of prison terms and paroles with regard to fixing the duration of confinement in certain cases, notwithstanding any provisions of law specifying a lesser sentence, to wit:

(1) For a person not previously convicted of a felony but armed with a deadly weapon at the time of the commission of his offense, the duration of confinement shall not be fixed at less than five years.

(2) For a person previously convicted of a felony either in this state or elsewhere and who was armed with a deadly weapon at the time of the commission of his offense, the duration of confinement shall not be fixed at less than seven and one-half years.

The words "deadly weapon," as used in this section include, but are not limited to, any instrument known as a blackjack, sling shot, billy, sand club, sandbag, metal knuckles, any dirk, dagger, pistol, revolver, or any other firearm, any knife having a blade longer than three inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club, any explosive, and any weapon containing poisonous or injurious gas.

(3) For a person convicted of being an habitual criminal within the meaning of the statute which provides for mandatory life imprisonment for such habitual criminals, the duration of confinement shall not be fixed at less than fifteen years. The board shall retain jurisdiction over such convicted person throughout his natural life unless the governor by appropriate executive action orders otherwise.

(4) Any person convicted of embezzling funds from any institution of public deposit of which he was an officer or stockholder, the duration of confinement shall be fixed at not less than five years.

Except when an inmate of the reformatory, penitentiary or such other penal institution as may hereafter be established, has been convicted of murder in the [first or] second or third degree, the board may parole an inmate prior to the expiration of a mandatory minimum term, provided such inmate has demonstrated a meritorious effort in rehabilitation and at least four board members concur in such action: PROVIDED, That any inmate who has a mandatory minimum term and is paroled prior to the expiration of such term according to the provisions of this chapter shall not receive a conditional release from supervision while on parole until after the mandatory minimum term has expired.

Sec. 8. Section 1, chapter 239, Laws of 1951 and RCW 9.95.055 are each amended to read as follows:

The board of prison terms and paroles is hereby granted authority, in the event of a declaration by the governor that a war emergency exists, including a general mobilization, and for the duration thereof only, to reduce downward the minimum term, as set by the board, of any inmate confined in the Washington state penitentiary or reformatory, who will be accepted by and inducted into the armed services: PROVIDED, That a reduction downward shall not be made under this section for those inmates who are confined for treason, murder in the [first] second degree or carnal knowledge of a female child under ten years: AND PROVIDED FURTHER, That no such inmate shall be released under this section who is found to be a sexual psychopath under the provisions of and as defined by chapter 71.12.

Sec. 9. Section 58, chapter 249, Laws of 1909 and RCW 10.19.010 are each amended to read as follows:

Every person charged with an offense, except that of murder in the first or second degree where the proof is evident or the presumption great, may be bailed by sufficient sureties, and bail shall justify and have the same rights as in civil cases, except as otherwise provided by law. The amount of bail in each case shall be determined by the court in its discretion and may from time to time be increased or decreased as circumstances may justify.

Sec. 10. Section 87, page 115, Laws of 1854 as last amended by section 1062, Code of 1881 and RCW 10.49.010 are each amended to read as follows:

If, on the arraignment of any person, he shall plead guilty, if the offense charged be not murder, the court shall, in their discretion, hear testimony, and determine the amount and kind of punishment to be inflicted; but if the defendant plead guilty to a charge of murder, a jury shall be impaneled to hear testimony, and determine the degree of murder and the punishment therefor: *PROVIDED, That the jury shall not determine the punishment for murder in the first degree.*"

Renumber section 5 as section 11.

### POINT OF INQUIRY

Senator Mardesich: "Before we leave second reading, would Senator Woodall yield to a question? Senator Woodall, I understand that the contention is that there must be a premeditated killing. But this language says, 'the premeditated killing of a human being is murder in the first degree.' Then jumping down to lines twenty and twenty-one in subsection 3, 'if the defendant was resisting lawful arrest.' Is there a presumption that arises out of the resisting of lawful arrest, that there was premeditation, by this language?"

Senator Woodall: "No, not of itself, no."

Senator Mardesich: "If that is true, I think by some questioning we should make it clear here on third reading that that is in fact the case."

Senator Woodall: "A man is always presumed that he intended the natural and logical consequences of his act. But the premeditation in and of itself would not be presumed. No."

On motion of Senator Woodall, the following amendment to the title was adopted:

On page 1, line 7, of the title, after "RCW 9.48.050;" and before "adding" insert "amending section 16, page 78, Laws of 1854 as last amended by section 2, chapter 49, Laws of 1970 1st ex. sess. and RCW 9.48.060; amending section 2, chapter 133, Laws of 1955 and RCW 9.95.010; amending section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040; amending section 1, chapter 239, Laws of 1951 and RCW 9.95.055; amending section 58, chapter 249, Laws of 1909 and RCW 10.19.010; amending section 87, page 115, Laws of 1854 as last amended by section 1062, Code of 1881 and RCW 10.49.010;"

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2077 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2077, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—40.

Voting nay: Senators Fleming, Gardner, Grant, Greive, Murray, Washington—6.

Excused: Senators Atwood, Scott, Stender—3.

ENGROSSED SENATE BILL NO. 2077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Senator Day, the Senate Committee on Social and Health Services was relieved of further consideration of Senate Bill No. 2533.

On motion of Senator Day, Senate Bill No. 2533 was referred to the Committee on Ways and Means.

On motion of Senator Bailey, the Rule change proposed by Senator Washington previously scheduled to be considered during the current week was rescheduled for Monday, February 12, 1973.

On motion of Senator Canfield, 1,000 additional copies of Senate Bill No. 2550 will be printed.

At 1:10 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Saturday, February 10, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-FOURTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, February 10, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Keefe, Stender and Twigg. On motion of Senator Knoblauch, Senator Keefe was excused. On motion of Senator Lewis (Harry), Senator Twigg was excused. On motion of Senator Newschwander, Senator Stender was excused.

The Color Guard, consisting of Pages Bill Sparks and Ryan Durkan, presented the Colors. Reverend Thomas Hesselbrock, assistant pastor of St. Michael's Church of Olympia, offered the following prayer:

"FATHER, WE THANK YOU FOR THE GIFT OF LIFE YOU HAVE GIVEN ALL OF US. WE BELIEVE THAT THIS LIFE IS A SMALL IMAGE OF THE LIFE THAT IS YOU, AND THAT WE HOPE TO SHARE WITH YOU ONE DAY. MAKE US FREE TO GIVE OF THIS LIFE TO OUR FELLOW MAN, FREE FROM FEAR, FREE FROM BITTERNESS, FREE FROM HATRED, AND FREE FROM APATHY. FATHER, TODAY, WE OFFER OUR LIVES BACK TO YOU IN SERVICE TO OUR FELLOW CITIZENS. AMEN."

## MOTION.

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 10, 1973.

SENATE BILL NO. 2066, modifying insurance programs for state employees and expanding the state employees' insurance board (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 2066 be substituted therefor and the substitute bill do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2084, allowing judges retirement credit for pro tempore service (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 10, 1973.

SENATE BILL NO. 2125, setting standards for granting furloughs to prisoners (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2140, fixing remuneration for salaries and actual expenses of a judge pro tempore (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Greive, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2196, authorizing community education pilot programs and appropriating funds therefor (reported by Committee on Rules):

MAJORITY recommends that the bill do pass as amended by the Committee on Education and that it be referred to the Committee on Ways and Means.

Signed by: John A. Cherberg, Chairman; Senators Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Talley, Woodall.

There being no objection, Senate Bill No. 2196 was referred to the Committee on Ways and Means.

February 8, 1973.

SENATE BILL NO. 2208, making certain changes in common school code (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2248, establishing certification procedures for court reporters (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Bottiger, Clarke, Greive, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 10, 1973.

SENATE BILL NO. 2287, implementing law relating to school district organization (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Odegaard.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2302, extending filing date under Korean war bonus act of 1955 (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended and refer to Committee on Ways and Means.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch.

There being no objection, Senate Bill No. 2302 was referred to Committee on Ways and Means.

February 9, 1973.

SENATE BILL NO. 2324, amending the duties of the state committee on salaries (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2326, authorizing state auditor to make recommendations for improved level of fiscal management (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2341, transferring certain statutory duties of the state auditor (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2350, appointing pro tempore judges of the court of appeals (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2360, providing for the transfer of certain duties and functions of the state auditor (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2361, providing for review of and rebuttal to arguments in the voter's pamphlet (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE BILL NO. 2382, pertaining to judicial retirement benefits (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 8, 1973.

SENATE BILL NO. 2392, implementing the law relating to intermediate school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard.

Passed to Committee on Rules for second reading.

February 9, 1973.

SENATE JOINT RESOLUTION NO. 105, amending the Constitution to provide for annual, interim and extra legislative sessions and to allow the legislature to increase members' salaries (reported by Committee on Constitution and Elections):

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 105 be substituted therefor and that the substitute resolution do pass.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 9, 1973.

ENGROSSED HOUSE BILL NO. 18, authorizing the state treasurer to appoint such deputies as he deems necessary (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

ENGROSSED HOUSE BILL NO. 21, creating the state treasurer's service fund and providing for the allocation of funds thereto for the operation of the state treasurer's office (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

February 9, 1973.

HOUSE BILL NO. 195, providing for the issuance of general obligation bonds under the supervision of the state finance committee for certain building purposes (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

## MESSAGE FROM THE HOUSE

February 9, 1973.

Mr. President: The House has passed:  
 ENGROSSED HOUSE BILL NO. 14,  
 ENGROSSED HOUSE BILL NO. 48,  
 SUBSTITUTE HOUSE BILL NO. 65,  
 HOUSE BILL NO. 102,  
 HOUSE BILL NO. 155,  
 HOUSE BILL NO. 235,  
 ENGROSSED HOUSE BILL NO. 286,  
 ENGROSSED HOUSE BILL NO. 302, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

At 9:40 a.m., on motion of Senator Mardesich, the Senate recessed until 10:25 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 10:25 a.m.

## MOTIONS

On motion of Senator Durkan, the Senate Committee on Labor was relieved of further consideration of Senate Bill No. 2544.

On motion of Senator Durkan, Senate Bill No. 2544 was re-referred to the Senate Committee on Ways and Means.

On motion of Senator Bailey, the Senate Committee on Ways and Means was relieved of further consideration of Senate Bill No. 2196.

On motion of Senator Bailey, Senate Bill No. 2196 was re-referred to the Senate Committee on Rules.

## POINT OF INQUIRY

Senator Atwood: "Would Senator Bailey yield? What does the bill deal with?"

Senator Bailey: "It has to do with the study of a pilot program in education."

Senator Atwood: "Does it have a fiscal impact?"

Senator Bailey: "I will have Senator Gardner answer this."

Senator Atwood: "Senator Gardner, would you yield to a question? Does it carry any fiscal impact, regardless of whether it carries an appropriation?"

Senator Gardner: "No, it does not."

Senator Atwood: "It won't cost anybody any money?"

Senator Gardner: "No, it just provides the community an opportunity to use the schools in conjunction with the schools for programs but at their own expense. And the bill states in essence that they have to cover whatever costs, such as custodian or whatever else is done."

Senator Atwood: "Has a fiscal note been prepared in connection with the bill?"

Senator Gardner: "No, it has not."

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2577, by Senator Day:

An Act relating to health care services; prohibiting discrimination against licensed practitioners of health care; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Social and Health Services.



SENATE BILL NO. 2578, by Senators Bottiger and Wanamaker (by Department of Ecology and Department of Social and Health Services request):

An Act relating to state government; amending section 43.20.050, chapter 8, Laws of 1965 as amended by section 9, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.050; amending section 11, chapter 210, Laws of 1941 as last amended by section 2, chapter 272, Laws of 1971 ex. sess. and RCW 56.08.020; adding new sections to chapter 90.48 RCW; and declaring an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2579, by Senators Murray, Gardner and Wanamaker (by Executive request):

An Act relating to property taxes; adding a new chapter to chapter 15, Laws of 1961 and to Title 84 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2580, by Senators Francis and Gardner:

An Act relating to crimes associated with credit cards and identification cards; amending section 3, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.030; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2581, by Senator Twigg:

An Act relating to judicial districts; and amending section 3, chapter 125, Laws of 1951 as last amended by section 5, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.061.

Referred to Judiciary Committee.

SENATE BILL NO. 2582, by Senator Woody (by Parks and Recreation Commission request):

An Act relating to youth camps; providing for the regulation of youth camps; adding a new chapter to Title 70 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Parks and Recreation.

SENATE BILL NO. 2583, by Senators Matson and Peterson (Lowell):

An Act relating to motor vehicle size, weight, and load; amending section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.091; adding a new section to chapter 46.44 RCW; repealing section 27, chapter 137, Laws of 1965, section 8, chapter 174, Laws of 1967, section 3, chapter 248, Laws of 1971 ex. sess. and RCW 46.44.0941; and providing an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2584, by Senators Odegaard and Talley:

An Act relating to diking districts; and amending section 41, chapter 117, Laws of 1895 as last amended by section 1, chapter 30, Laws of 1951 and RCW 85.05.410.

Referred to Committee on Local Government.

#### MOTION

On motion of Senator Odegaard, Senator Talley was permitted as an additional sponsor to Senate Bill No. 2584.

SENATE BILL NO. 2585, by Senators Talley, Marsh and Stender:

An Act relating to industrial insurance; and amending section 51.32.160, chapter 23, Laws of 1961 and RCW 51.32.160.

Referred to Committee on Labor.

SENATE BILL NO. 2586, by Senators Durkan, Keefe and Peterson (Ted):

An Act relating to public employment; adding a new section to chapter 41.16 RCW;

adding a new section to chapter 41.18 RCW; and adding a new section to chapter 41.20 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2587, by Senators Clarke and Woody:

An Act relating to installment sale transactions; adding a new section to chapter 63.14 RCW; and adding new sections to chapter 19.52 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2588, by Senators Woodall and Mardesich:

An Act relating to escheats; and adding a new section to chapter 11.08 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2589, by Senators Woody, Greive and Dore:

An Act relating to pawn brokers; and amending section 234, chapter 249, Laws of 1909 and RCW 19.60.060.

Referred to Financial Institutions.

SENATE BILL NO. 2590, by Senators Walgren and Wanamaker (by Department of Highways request):

An Act relating to urban arterials; amending section 32, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.260; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.190; amending section 6, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.450; and adding new sections to chapter 47.26 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2591, by Senator Day:

An Act relating to insurance; creating a new section; and adding a new section to chapter 48.44 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2592, by Senator Day:

An Act relating to optometrists; and adding new sections to chapter 18.53 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2593, by Senators Gardner, Newschwander, Fleming, Odegaard, Murray and Peterson (Ted):

An Act relating to the joint committee on education; adding new sections to chapter 44.33 RCW; amending section 7, chapter 130, Laws of 1965 ex. sess. and RCW 44.33.260; amending section 5, chapter 130, Laws of 1965 ex. sess. as amended by section 6, chapter 10, Laws of 1969 and RCW 44.33.240; amending section 6, chapter 130, Laws of 1965 ex. sess. and RCW 44.33.250; repealing section 3, chapter 130, Laws of 1965 ex. sess., section 3, chapter 10, Laws of 1969 and RCW 44.33.220; repealing section 4, chapter 130, Laws of 1965 ex. sess. and RCW 44.33.230; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 2594, by Senator Day:

An Act relating to health care; amending section 2, chapter 268, Laws of 1947 as last amended by section 1, chapter 115, Laws of 1969 and RCW 48.44.020; amending section 3, chapter 268, Laws of 1947 as last amended by section 2, chapter 115, Laws of 1969 and RCW 48.44.030; and adding a new section to chapter 48.44 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2595, by Senators Mardesich, Durkan and Atwood:

An Act relating to state government; amending section 1, chapter 115, Laws of 1967 ex. sess. and RCW 43.105.010; amending section 2, chapter 115, Laws of 1967 ex. sess. and RCW 43.105.020; amending section 6, chapter 115, Laws of 1967 ex. sess. and RCW

43.105.060; adding new sections to chapter 43.105 RCW; creating a new section; repealing section 3, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.015; repealing section 1, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.031; repealing section 4, chapter 115, Laws of 1967 ex. sess., section 2, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.040; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2596, by Senators Keefe, Jones and Clarke:

An Act relating to banks and trust companies; and amending section 30.04.260, chapter 33, Laws of 1955 and RCW 30.04.260.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2597, by Senators Woodall and Connor:

An Act relating to survival of actions; and amending section 1, chapter 137, Laws of 1961 and RCW 4.20.046.

Referred to Judiciary Committee.

SENATE BILL NO. 2598, by Senator Mardesich:

An Act relating to lands; adding new sections to chapter 79 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2599, by Senators Peterson (Lowell) and Peterson (Ted):

An Act relating to the legislature; creating a joint committee on natural resources; prescribing its powers and duties; providing for citizen participation; adding a new chapter to Title 44 RCW; and declaring an emergency.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2600, by Senators Rasmussen and Walgren (by Liquor Control Board request)

An Act relating to intoxicating liquor; amending section 67, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.070; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 1, chapter 67, Laws of 1949 as last amended by section 2, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.160; amending section 2, chapter 67, Laws of 1949 as last amended by section 3, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.170; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 4, chapter 67, Laws of 1949 as last amended by section 5, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.190; amending section 5, chapter 67, Laws of 1949 as last amended by section 6, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.200; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 70, Laws of 1971 and RCW 66.24.010; amending section 23-U added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 2, chapter 70, Laws of 1971 and RCW 66.24.025; amending section 27-C added to chapter 62, Laws of 1933 ex. sess. by section 7, chapter 172, Laws of 1939 and RCW 66.24.120; amending section 10, chapter 217, Laws of 1969 ex. sess. and RCW 66.24.206; amending section 23-F added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 4, chapter 178, Laws of 1969 ex. sess. and RCW 66.24.270; amending section 23-M added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 117, Laws of 1969 and RCW 66.24.320; amending section 23-N added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 3, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.330; amending section 23-Q added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.360; amending section 23-R added to chapter 62, Laws of 1933 ex.

sess. by section 1, chapter 217, Laws of 1937 as amended by section 7, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.370; amending section 23-S added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 5, chapter 178, Laws of 1969 ex. sess. and RCW 66.24.380; amending section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as amended by section 1, chapter 208, Laws of 1971 ex. sess. and RCW 66.24.400; amending section 2, chapter 263, Laws of 1957 as amended by section 1, chapter 112, Laws of 1969 ex. sess. and RCW 66.24.410; amending section 2, chapter 13, Laws of 1970 ex. sess. as amended by section 2, chapter 208, Laws of 1971 ex. sess. and RCW 66.24.420; amending section 9, chapter 178, Laws of 1969 ex. sess. and RCW 66.24.500; amending section 1, chapter 200, Laws of 1929 as amended by section 1, chapter 2, Laws of 1933 and RCW 66.44.320; adding a new section to chapter 66.24 RCW; repealing section 437, chapter 249, Laws of 1909, section 2, chapter 27, Laws of 1909 ex. sess. and RCW 66.44.230; declaring an emergency and making an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 2601, by Senators Dore, Connor and Van Hollebeke:

An Act relating to the unfair practices act; amending section 1, chapter 221, Laws of 1939 and RCW 19.90.010; and amending section 9, chapter 221, Laws of 1939 and RCW 19.90.090.

Referred to Judiciary Committee.

SENATE BILL NO. 2602, by Senators Murray, Gardner and Talley (by Oceanographic Commission request):

An Act relating to the oceanographic commission; amending section 2, chapter 243, Laws of 1967 and RCW 43.94.020; and amending section 5, chapter 243, Laws of 1967 and RCW 43.94.050.

Referred to Committee on State Government.

SENATE BILL NO. 2603, by Senators Lewis (Harry), Metcalf, Atwood, Peterson (Lowell) Wanamaker and Gardner (by Executive request):

An Act relating to state government; setting forth an economic impact act for the state of Washington; adding new sections to Title 43 RCW as a new chapter thereof; and making an appropriation.

Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 115, by Senators Marsh, Grant and Metcalf:

Memorializing Congress to grant home-rule and congressional representation to the District of Columbia.

Referred to Committee on Constitution and Elections.

SENATE JOINT MEMORIAL NO. 116, by Senators Metcalf, Woodall, Peterson (Ted), Canfield, Rasmussen, Peterson (Lowell) and Lewis (Bob):

Memorializing Congress to amend the Federal Constitution to prohibit forced bussing. Referred to Committee on Education.

## MOTION

On motion of Senator Metcalf, the rules were suspended and any member wishing to be added as a sponsor to Senate Joint Memorial No. 116 was permitted.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2593 and 2603; also Senate Joint Memorial No. 116.

SENATE JOINT RESOLUTION NO. 119, by Senators Murray, Gardner and Wanamaker (by Executive request):

Authorizing the granting of property tax relief to homeowners and lessees of residential property.

Referred to Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION NO. 113, by Senators Peterson (Lowell) and Peterson (Ted):

Creating the interim committee on natural resources.

Referred to Committee on Natural Resources.

ENGROSSED HOUSE BILL NO. 14, by Representative Bluechel:

Providing for the practice of acupuncture under the supervision of a licensed physician.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 48, by Representatives Eikenberry and Knowles:

Providing for disclaimer of interest under will, trust or intestacy.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 65, by Committee on Commerce (originally sponsored by Representatives Conner and Martinis):

Exempting nonprofit, amateur boxing and wrestling matches from state control.

Referred to Committee on Commerce.

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 155, by Representatives Newhouse and Haussler (by Legislative Council request):

Repealing certain statutes relating to the valuation of trust lands sold for park purposes.

Referred to Committee on Parks and Recreation.

HOUSE BILL NO. 235, by Representatives Maxie, Rabel and King (by Joint Committee on Higher Education request):

Providing educational benefits to children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 286, by Representatives Perry, Leckenby, Wojahn, Eng and Sommers (by Department of Motor Vehicles request):

Providing for changes in the qualifications of members of the state board of examiners for nursing home administrators.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 302, by Representatives Kopet, Knowles, Julin, Amen and Leckenby (by Department of Social and Health Services request):

Providing new penalties for possession of marihuana by person serving a sentence in a penal institution.

Referred to Committee on Social and Health Services.

## SECOND READING

SENATE BILL NO. 2033, by Senator Odegaard:

Recounting of state ballot measures to be at state expense.

The Senate resumed consideration of Senate Bill No. 2033. The committee amendment

to section 1, line 6 having been adopted on Friday, February 9, 1973. An amendment to page 1, following section 1, inserting a new section was moved for adoption by Senator Lewis (Harry) on Friday, February 9, 1973 and a point of order was raised by Senator Greive on the scope and object of that amendment. On motion of Senator Henry on Friday, February 9, 1973, Senate Bill No. 2033 and the pending Ruling by the President were held for consideration on Saturday, February 10, 1973.

#### RULING BY THE PRESIDENT

The President: "In ruling on the point of order as raised by Senator Greive, the President finds that Senate Bill No. 2033 is a measure which requires recounts on state-wide ballot issues if the official tabulation indicates that the proposition has either failed or passed by not more than one-half of one percent.

"The amendment as proposed by Senator Harry Lewis, however, pertains not only to state-wide ballot issues but to other elections and provides in substance that a random sampling of ballots may be taken in a specified manner and that if the results of this random sampling indicate that a discrepancy of less than one-half of one percent exists that no further recount is necessary.

"The proposed amendment, therefore, in several respects does increase the scope and object of Senate Bill No. 2033.

"The point of order as presented by Senator Greive is well taken."

The amendment by Senator Lewis (Harry) was ruled out of order.

On motion of Senator Odegaard, the rules were suspended, Engrossed Senate Bill No. 2033 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2033, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Lewis (Harry)—1.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2033, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2235, by Senators Walgren and Herr:  
Requiring precinct officers to appear on absentee ballots.

#### REPORT OF STANDING COMMITTEES

February 2, 1973.

SENATE BILL NO. 2235, requiring precinct officers to appear on absentee ballots (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause, strike the remainder of the bill in its entirety and insert the following:

"Section 1. Section 29.36.030, chapter 9, Laws of 1965 and RCW 29.36.030 are each amended to read as follows:

Upon receipt of the certificate, either signed by the voter or attached to the voter's signed application, the officer having jurisdiction of the election, or his duly authorized representative, shall issue an absentee ballot for the election concerned.

*At each general election in the even-numbered year, each absentee voter shall also be given a separate ballot containing the names of the candidates that have filed for the office of precinct committeeman in the absentee voter's precinct and providing space for writing in the name of additional candidates.*

In addition, if other elections, including special or general, are also being held on the same day and it can be determined that the absentee voter is qualified to vote at such elections, such additional absentee ballots shall be automatically issued to the end that, whenever possible, each absentee voter receives the ballots for all elections he would have received if he had been able to vote in person.

The election officer, or his duly authorized representative, shall include the following additional items when issuing an absentee ballot:

(1) Instructions for voting.

(2) A size #9 envelope, capable of being sealed and free of any identification marks, for the purpose of containing the voted absentee ballot.

(3) A size #10 envelope, capable of being sealed and preaddressed to the issuing officer, for the purpose of returning the #9 envelope containing the marked absentee ballot.

Upon the left hand portion of the face of the larger envelope shall also be printed a blank statement in the following form:

State of ..... )  
)ss.  
County of ..... )

I, ....., do solemnly swear under the penalty as set forth in RCW 29.36.110 (see below), that I am a resident of and qualified voter in ..... precinct of ..... city in ..... county, Washington; that I have the legal right to vote at the election to be held in said precinct on the ..... day of ....., 19 ..... That I have not voted another ballot and have herein enclosed my ballot for such election.

(signed) .....  
Voter

**PENALTY PROVISION:** Any person who violates any of the provisions, relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment.

Sec. 2. Section 29.36.070, chapter 9, Laws of 1965 and RCW 29.36.070 are each amended to read as follows:

Upon the canvass of the votes, if there are on file one or more absentee ballot inner envelopes, the canvassing authority shall cause such envelopes to be opened and the [ballots to] *absentee precinct committeeman ballot, if any, shall be physically separated from the remainder of the absentee ballot. The absentee precinct committeeman ballot shall be, subject to the provisions of RCW 29.36.075 and 29.36.077, counted separately. The remainder of the absentee ballot shall be grouped and counted without regard as to precinct by legislative districts if the election is a state primary or state election, special or general.*

These ballots shall be made a part of the returns and handled accordingly.

Sec. 3. Section 29.36.095, chapter 9, Laws of 1965 as amended by section 39, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.095 are each amended to read as follows:

After the completion of the canvass of the election returns of any primary or election, the canvassing authority shall cause the names of the persons casting absentee ballots to be listed alphabetically and by precincts. Such lists of absentee voters shall be used to enter on the respective voters registration record in the space provided for that purpose, the month, day and year of the primary or election (for example 11/2/54) or otherwise credit the voter with having participated in that election [ : PROVIDED, That no precinct office shall appear upon the absentee ballot]."

On page 1, strike all of the title and insert the following:

"AN ACT Relating to absentee voting; amending section 29.36.030, chapter 9, Laws of

1965 and RCW 29.36.030; amending section 29.36.070, chapter 9, Laws of 1965 and RCW 29.36.070; and amending section 29.36.095, chapter 9, Laws of 1965 as amended by section 39, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.095.”

Signed by: Senators Grant, Chairman; Canfield, Gardner, Stender, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendment was adopted.

On motion of Senator Grant, the committee amendment to the title was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2235 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2235, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2058, by Senators Bottiger, Henry and Woodall (by Legislative Council request):

Permitting service of traffic citations for offenses not witnessed by citing officer.

#### REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2058, permitting service of traffic citations for offenses not witnessed by citing officer (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 3, strike all the amendatory language beginning with line 3 and down to but not including the period on line 6 and insert: *“the citation and notice may be issued or served pursuant to section 3 of this 1973 amendatory act.”*

On page 2, section 2, line 14, after the word *“probable”* strike the words *“and reasonable grounds”* and insert *“cause”*

On page 2, section 2, line 15, after the word *“accidents”* and before the comma insert *“pursuant to section 3 of this 1973 amendatory act”*

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

*“NEW SECTION. Sec. 3. There is added to chapter 32, Laws of 1967, and to chapter 46.64 RCW a new section to read as follows:*

A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of the traffic laws or regulations. The detention arising from any arrest under this section shall not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice, except that such time limitation shall not apply under any of the following circumstances:

(1) where the law enforcement officer has probable cause to believe that the arrested person had been driving the motor vehicle while under the influence of intoxicating liquor in violation of state law or any county, city, or town ordinance; or



(2) where the arrested person refuses to sign a written promise to appear in court as required by the citation and notice provisions of section 1 of this 1973 amendatory act."

On page 1, line 3 of the title, after "RCW 46.64.015;" strike "and"

On page 1, line 5 of the title, after "RCW 46.64.030" and before the period insert ", and adding a new section to chapter 32, Laws of 1967, and to chapter 46.64 RCW"

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendments were adopted.

On motion of Senator Francis, the committee amendment to the title was adopted.

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2058 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Durkan: "Would Senator Francis yield? As I understand the bill, it is only traffic citations, it is not a general power of arrest for misdemeanors, is it?"

Senator Francis: "That is correct, Senator. As a matter of fact it does give the power of arrest but specifies under the committee amendment that the detention arising from any arrest under this section shall not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice. I might add, although I recognize what Senator Dore is saying and it is a serious thing we are undertaking, that usually an arrest for purposes of a citation at the scene is a lot more palatable to the individual citizen than being arrested or served a warrant on the job two or three weeks later and having all his co-workers aware of it. That is quite an extreme experience. I should also point out that there are two exceptions to that limitation and that is where the law enforcement officer has probably cause to believe that the person is driving while under the influence or where the arrested person refuses to sign the citation."

Senator Durkan: "Now we will go back and I will ask the question again. Does it permit arrest for misdemeanors other than traffic citations? Not in the presence of the officer?"

Senator Francis: "Only for driving while under the influence."

Senator Durkan: "That is all right. But then for other misdemeanors, as Senator Dore has said, they have to occur in the presence of the officer."

Senator Francis: "That is correct."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2058, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Dore, Fleming, Grant, Talley—4.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2058, having received the 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. 2220, by Senator Atwood:

Providing for changes in the billing procedures of the director of general administration.

## REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2220, providing for changes in the billing procedures of the director of general administration (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 22, after "effect" and before the period strike "immediately" and insert "July 1, 1973"

On line 4 of the title after "and" and before the period strike "declaring an emergency" and insert "prescribing an effective date"

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendment was adopted.

On motion of Senator Atwood, the committee amendment to the title was adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 2220 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2220, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-46.

Excused: Senators Keefe, Stender, Twigg-3.

ENGROSSED SENATE BILL NO. 2220, having received the 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 Senator Mardesich, Senate Bill No. 2194 was ordered to hold its place on the second reading calendar for Monday, February 12, 1973.

## SECOND READING

SENATE BILL NO. 2311, by Senators Wanamaker, Walgren and Stender:

Requiring transportation agencies to submit a recommended budget for the ensuing biennium to the governor and legislature.

## REPORT OF STANDING COMMITTEE

January 25, 1973.

SENATE BILL NO. 2311, requiring transportation agencies to submit a recommended budget for the ensuing biennium to the governor and legislature (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 5, after "prior to" strike "July 1" and insert "October 1"

On page 1, section 1, line 12, after "committee," strike "and" and insert "and/or"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 2, line 24, after "convening" strike ", through the legislative transportation committee."

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2311 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2311, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senator Durkan-1.

Absent or not voting: Senator Lewis (Harry)-1.

Excused: Senators Keefe, Stender, Twigg-3.

ENGROSSED SENATE BILL NO. 2311, having received the 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. 2176, by Senators Gardner, Talley and Murray:

Allowing port districts to provide insurance coverage for port commissioners on the same terms as provided for employees.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Senate Bill No. 2176 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2176, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-44.

Voting nay: Senators Jones, Whetzel-2.

Excused: Senators Keefe, Stender, Twigg-3.

SENATE BILL NO. 2176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2096, by Senators Gardner, Murray and Odegaard (by Joint Committee on Education request):

Setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year.

## REPORT OF STANDING COMMITTEE

January 30, 1973.

SENATE BILL NO. 2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 21, after "God" and before the period insert ": AND PROVIDED FURTHER, That the superintendent of public instruction shall obtain the approval of the interim legislative budget committee or in the event no such legislative budget committee exists as a result of the action of the 1973 legislature, then with approval of each of the standing committees of house and senate ways and means. Said approval shall be obtained prior to apportionment of state monies to a school district unable to meet the requirements of a full school year as provided for in this 1973 amendatory act"

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Odegaard, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendment was adopted.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gardner yield to a question? Senator Gardner, does this require approval of the Legislative Budget Committee?"

Senator Gardner: "Yes, it does and in the event that we go into some type of a continuing session, then it would require the approval of whatever standing committees resulted from the Ways and Means Committee of both houses. Legislative Budget Committee first, then subsequent committees that would succeed them under a different structure."

Senator Rasmussen: "Just a majority of the Budget Committee?"

Senator Gardner: "A majority of the Legislative Budget Committee."

On motion of Senator Gardner, the rules were suspended, Engrossed Senate Bill No. 2096 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2096, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Voting nay: Senators Guess, Lewis (Harry), Newschwander, Scott—4.

Absent or not voting: Senator Matson—1.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2071, by Senators Marsh, Talley and Herr:  
Establishing an additional justice of the peace in specified districts.

## REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2071, establishing an additional justice of the peace in specified districts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 14, after "more" and before the "period" insert "*PROVIDED, FURTHER, That in a justice court district having a population of two hundred thousand or more that borders or surrounds a military reservation or reservations which have a combined population in excess of twenty thousand that the county commissioners may resolve to provide for the election or appointment of one fulltime justice in addition to the number authorized above and without regard to RCW 3.34.010, and that the extra fulltime justice be used in a night court capacity, to conduct court business on normal court days until at least the hour of nine o'clock in the evening*".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

Senator Woody moved adoption of the following amendment:

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

*"NEW SECTION. Sec. 2. There is added to chapter 3.34 RCW a new section to read as follows:*

*In counties of the second class and larger counties all justices of the peace and district court judges are required to have been admitted to the practice of law in the state of Washington before they may exercise the functions of their office."*

## POINT OF INQUIRY

Senator Bailey: "Would Senator Woody yield? Senator Woody, how many people that are grandfathered in under the justice court act, would you displace under this amendment? I am not against lawyers taking over everything, they are going to do it eventually anyway, but the thing is that I do think that where we have grandfathered some of these people in that we should not just turn around and say that you are out now. I do not know whether it affects many people. Before I voted on that amendment, I would like to know what it does and how many people it dislocates."

Senator Woody: "It only applies in counties of the second class and larger counties, and I do not know how many that might affect."

Senator Bailey: "Mr. President, maybe Senator Woodall knows something about this."

Senator Woodall: "I will be glad to respond to that. The original bar bill which provided for all counties and it was at my insistence originally that we did have this for the smaller counties. This measure simply provides it in the larger counties where they have an abundance of qualified people. It probably would not affect over a half a dozen people state-wide. And it is part of the upgrading program that Senator Woody has in mind. It does not affect any of your counties at all."

Senator Bailey: "My question was not counties. I can understand that. But my question was, how many people that are now justices that are not members of the bar would have their terms terminated, you might say, and have to give it to a lawyer? Three?"

"Well, Mr. President, it would seem to me that if this amendment were to pass it would not pass in a very good form. There should be some provision in there at least for finishing out the term they have or something of that sort rather than just saying that these people are no longer qualified. It just seems like this is a bad way to do it unless we really study the measure and know what we are doing to individuals in areas where the people have elected them under the grandfather clause. There may not be many affected but the way to do it would be to say that after their term expires, then this would be effective, if we are going to do that at all."

The motion by Senator Woody carried and the amendment was adopted.

On motion of Senator Francis, the following amendment to the title was adopted:

On page 1, line 3 of the title, after "RCW 3.34.020" and before the period insert "; and adding a new section to chapter 3.34 RCW"

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2071 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Durkan: "Mr. President, just a small item. Senator Marsh, are you the sponsor of this bill? Senator, for my edification, are all the JP's paid with local funds?"

Senator Marsh: "To my understanding that is true."

Senator Durkan: "Do we know?"

Senator Marsh: "I think they are all paid out of the county fund or out of the city funds."

Senator Durkan: "Are there any state funds involved?"

Senator Marsh: "Not to my knowledge."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2071, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Greive, Henry, Herr, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—37.

Voting nay: Senators Bailey, Donohue, Fleming, Grant, Guess, Jolly, Jones, Sellar—8.

Absent or not voting: Senator Matson—1.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2071, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2074, by Senators Ridder, Henry and Lewis (Harry):  
Allowing fire district commissioners to waive compensation.

#### REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2074, allowing fire district commissioners to waive compensation (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 3, after "*filed*" insert "*any time*"

On page 2, section 1, line 4, after "*the*" strike "*period for*" and insert "*date on*"

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendments were adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 2074 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2074, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Absent or not voting: Senator Matson-1.

Excused: Senators Keefe, Stender, Twigg-3.

ENGROSSED SENATE BILL NO. 2074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE CONCURRENT RESOLUTION NO. 110, by Senators Day and Matson (by Legislative Council request):

Providing for a study on grass seed production.

## REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE CONCURRENT RESOLUTION NO. 110, providing for a study on grass seed production (reported by Committee on Agriculture):

Recommendation: Do pass with the following amendments:

On page 2, beginning on line 3 strike all the material down to and including the period on line 6 and insert "NOW, THEREFORE, BE IT RESOLVED, By the Senate, the House of Representatives concurring, that Washington State University is authorized and directed to undertake a study of the use of agricultural burning."

On page 2, line 8, after "Council" and before "and" insert "or if such council is not in existence, then to the respective agriculture committees of the house and senate"

On page 2, beginning on line 10 strike all the material down to and including the period on line 16 and insert "AND BE IT FURTHER RESOLVED, That the Department of Ecology shall promulgate no further regulation prohibiting the use of field burning for grass seed production until considering the results of the Washington State University's research program or until a satisfactory and viable alternative is found consonant with both environmental quality, disease and insect control, and an efficient and economically feasible method for the production of bluegrass seed."

Signed by: Senators Jolly, Chairman; Day, Donohue, Matson, Sellar, Twigg, Washington.

The resolution was read the second time in full.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, the rules were suspended, Engrossed Senate Concurrent Resolution No. 110 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Atwood: "Would Senator Day yield? I heard that last remark. I was assured in caucus that this had no fiscal impact. I take it now that it does."

Senator Day: "No, the concurrent resolution has none. The amendment to the amendment took the reference to the money out of the bill. Now it certainly could have a fiscal impact if Ways and Means sees fit to do what the concurrent resolution asks. The fiscal impact will be very minimal, however."

Senator Atwood: "Well, let me ask you this then. I notice the study is directed to Washington State University. Are they the ones that are going to be asking for additional money in their budget or is the Legislative Council going to be asking us to fund additional moneys for this study?"

Senator Day: "I believe it will be done through WSU."

Senator Atwood: "Do you have any idea how much they are going to ask us for?"

Senator Day: "I think it is about one hundred and forty thousand dollars. But this is a nine million dollar industry, Senator, and if we do not find a substitute for grass burning there is not going to be any grass seed production in this state."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Day yield further? Senator Day, I am not at all opposed to the concept of this resolution and I know what the problem is and I know the trouble with the Department of Ecology, but I was just wondering about an independent study. Would this properly be a cooperative project between the states of Washington and Oregon so it could be done through established agencies rather than creating a new research program with a price tag on it that might run to a quarter of a million dollars?"

Senator Day: "I do not believe it is going to run that high but you never know about research. You cannot anticipate what they are going to find with this study. Maybe this study will not do it and it is also true that it is possible that the research will produce a method which will be beneficial to both Idaho and Oregon. The problem is time relative to the present situation in our state on air pollution control. And if we do not do something we are going to have the situation in Spokane county where some of this grass is raised within five or six miles of the Idaho line. We will have Idaho polluting our air, raising grass seed and our people will be prohibited from polluting the same air and raising any grass seed. So I think that it is pretty important."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 110, and the resolution passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Matson—1.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 110, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2069, by Senators Marsh, Francis, Woodall and Woody:  
Permitting defense counsel payments in justice courts.

#### REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2069, permitting defense counsel payments in justice courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14, after "*providing*" strike all of the material down to the period on line 16 and insert "*services necessary for the preparation and presentation of a*



*defense at public expense except costs of defense to be paid by a city pursuant to RCW 3.62.070"*

On page 1 add a new section as follows:

"Sec. 2. Section 111, chapter 299, Laws of 1961 and RCW 3.62.070 are each amended to read as follows:

Except in traffic cases wherein bail is forfeited to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 3.46, in every criminal action filed by a city for an ordinance violation the city shall be charged a four dollar filing fee. *In such criminal actions the cost of providing services necessary for the preparation and presentation of a defense at public expense are not within the four dollar filing fee and shall be paid by the city.* In all other criminal actions, no filing fee shall be assessed or collected PROVIDED; That in such cases, for the purposes of RCW 3.62.010, four dollars of each fine or penalty shall be deemed filing costs."

Renumber the old Sec. 2 to read "Sec. 3."

In line 5 of the title after "3.62.050;" and before "and" insert "amending section 111, chapter 299, Laws of 1961 and RCW 3.62.070;"

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, and the two committee amendments were adopted simultaneously.

On motion of Senator Francis, the committee amendment to the title was adopted.

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2069 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2069, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Matson—1.

Excused: Senators Keefe, Stender, Twigg—3.

ENGROSSED SENATE BILL NO. 2069, having received the 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 Senator Lewis (Harry), Senator Matson was excused.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 107, by Senators Stortini, Rasmussen, Newschwander, Knoblauch and Walgren:

Requesting the Congress to make the proposed Tacoma Spur a part of the National System of Interstate Highways.

## MOTION

On motion of Senator Walgren, Substitute Senate Joint Memorial No. 107 was substituted for Senate Joint Memorial No. 107 and Substitute Senate Joint Memorial No. 107 was placed on second reading and read the second time in full.

Debate ensued.

On motion of Senator Stortini, the rules were suspended, Substitute Senate Joint Memorial No. 107 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 107, and the memorial passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Keefe, Matson, Stender, Twigg—4.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 107, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2008, by Senator Bottiger:

Providing that a parent may obtain the address of his children under the care of the department of social and health services.

## REPORT OF STANDING COMMITTEE

January 31, 1973.

SENATE BILL NO. 2008, providing that a parent may obtain the address of his children under the care of the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 23, after "*the*" and before "*court*" insert "*visitation provisions of the*"

On page 1, section 1, line 25, after "*enforcing*" and before "*provisions*" strike "*specific*" and insert "*visitation*"

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Keefe, Murray, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendment to page 1, section 1, line 23 was adopted.

## MOTION

On motion of Senator Woodall, Senate Bill No. 2008, the adopted committee amendment to page 1, section 1, line 23 and the pending committee amendment to page 1, section 1, line 25, were ordered to be held on the second reading calendar for Monday, February 12, 1973.

## SECOND READING

SENATE BILL NO. 2282, by Senators Francis, Marsh, Jones, Day and Talley:

Providing interpreters in legal proceedings to certain persons with speech or hearing impairments.

The bill was read the second time by sections.  
Debate ensued.

#### POINT OF INQUIRY

Senator Francis: "Before we call for that vote, I think it would not be out of order to ask Senator Atwood his reasons for his objection."

Senator Atwood: "I have a series of questions about the definitions that appear in this bill. I think they are deficient and it may require some tightening up. But before I ask that it be held I would like to find out from you . . . I would rather keep it on second reading until I get my questions answered because you have got some definitions in there that appear to be redundant and are not clear."

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Francis yield? Senator Francis, in new section 2, you define what an impaired person is. And on line 16 beginning with the word 'or' you go on with the definition, 'or who when involved as a party to a legal proceeding is unable by reason of such defects to obtain due process of law,' and I am not sure what that means. I know what the first part is. That is clear enough. But the second clause is very imprecise and it could mean any number of things. I think the definition of impaired person should not include that particular clause."

Senator Francis: "Senator, I am satisfied that the way the sentence is constructed it is talking about such defects and therefore refers back to defects of ability to understand or communicate spoken language. So we are talking of the deaf or who for some other reason of some other impairment which I would not know cannot understand spoken language. And for that reason cannot obtain due process. I also would point out that is the same language that was used in the bill which passed the Senate two years ago and died in the House. I would have no objection to holding the matter over and certainly think that Senator Atwood is trying to work towards improving the bill."

#### MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2282 was ordered to hold its place on the second reading calendar for Monday, February 12, 1973.

On motion of Senator Mardesich, Senate Bill No. 2099 was ordered to hold its place on the second reading calendar for Monday, February 12, 1973.

#### PERMISSION GRANTED

On motion of Senator Connor, permission was granted for use of the Senate Chambers on Friday, February 16, 1973 at 4:00 p.m. for the purpose of a hearing.

On motion of Senator Day, permission was granted for use of the Senate Chambers on Monday, February 12, 1973 at 1:20 p.m. for the purpose of a hearing on the Blind Commission by the Senate Committee on Social and Health Services.

#### MOTION

Senator Odegaard moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-21

By Senators Odegaard, Ridder, Donohue, Metcalf, Canfield and Bailey:

WHEREAS, The duties of the State Board of Education were substantively established by the Legislature in 1909 and their function and value have not been systematically reviewed since that time; and

WHEREAS, There are statutory inconsistencies between the rule-making authority of the Superintendent of Public Instruction and the State Board of Education; and

WHEREAS, The effectiveness of the current method of selecting the state board and the state superintendent should be reviewed;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Joint Committee on Education, or such other appropriate committee pertaining to education, with the cooperation of the Superintendent of Public Instruction and the State Board of Education, review the function and value of the State Board of Education; provide recommendations for eliminating current statutory inconsistencies between the responsibilities of the State Board of Education and the Superintendent of Public Instruction; review the current state board election process, noting its effectiveness and responsiveness; review alternative methods of electing or selecting the State Board of Education and the Superintendent of Public Instruction, noting the possible effectiveness and cost.

BE IT FURTHER RESOLVED, That this study and its recommendations be submitted to the Forty-fourth Session of the Legislature.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate, upon the passage of this resolution, transmit copies thereof to the Joint Committee on Education, the Superintendent of Public Instruction, and the State Board of Education.

On motion of Senator Odegaard, the following amendment by Senator Odegaard to Senate Resolution 1973-21 was adopted:

On line 11, after "Education," insert "or such other appropriate committee pertaining to education,"

The motion by Senator Odegaard carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Woody, the following resolution was adopted:

SENATE RESOLUTION 1973-23

By Senators Woody and Mardesich:

WHEREAS, Noting the achievement of Doctors Gene and Lucille Mason and their children, Robert, age 16; Jeff, age 15; Linda, age 13 and Lori, age 9, who, on December 29, 1972, made their first climb of Mount Kilimanjaro, Africa, which stands 19,565 feet in height; and

WHEREAS, The members of the Senate recognize that Lori Mason is the youngest person to have climbed Mount Kilimanjaro;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commends the members of the Mason family for their accomplishment;

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be transmitted by the Secretary of the Senate to Gene, Lucille, Robert, Jeff, Linda and Lori Mason.

MOTION

At 12:10 p.m., on motion of Senator Mardesich, the Senate adjourned until 10:30 a.m., Monday, February 12, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**THIRTY-SIXTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Monday, February 12, 1973.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan and Mardesich. On motion of Senator Bailey, Senators Durkan and Mardesich were excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages James Kafer and Joyce Kusky, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

"WE THANK YOU, HEAVENLY FATHER, ON THIS THE BIRTHDAY OF THE SIXTEENTH PRESIDENT OF THE UNITED STATES, FOR YOUR CONTINUED HELP, GUIDANCE AND STRENGTH. WE AGREE WITH THE STATEMENT MR. LINCOLN MADE AFTER HIS SECOND ELECTION ... 'I SHOULD BE THE MOST PRESUMPTUOUS BLOCKHEAD UPON THIS FOOTSTOOL IF I HAD FOR ONE DAY THOUGHT I COULD DISCHARGE THE DUTIES WHICH HAVE COME UPON ME SINCE I CAME INTO THIS PLACE WITHOUT THE AID AND ENLIGHTENMENT OF ONE WHO IS STRONGER AND WISER THAN ALL OTHERS'. WE IN THIS LEGISLATIVE HALL TODAY WOULD BE PRESUMPTUOUS IF WE THOUGHT WE COULD PROCEED WITHOUT THE AID AND ENLIGHTENMENT OF YOUR HOLY SPIRIT. BLESS AND GUIDE TODAY, AND THROUGH THIS WEEK THAT WHAT NEEDS TO BE ACCOMPLISHED SHALL BE ACCOMPLISHED. WE ALSO TAKE THIS OPPORTUNITY TO THANK YOU FOR THE RELEASE OF OUR PRISONERS OF WAR. WE HAVE BEEN MOVED, HEAVENLY FATHER, AS WE HAVE SEEN THEM GET OFF THE PLANES IN THE PHILIPPINES. GIVE THEM JUST WHAT THEY NEED DURING THIS TIME OF ADJUSTMENT. BE THEIR STRENGTH AND STAY. BLESS THEIR FAMILIES IN A SPECIAL WAY AND BRING THEM TOGETHER WITH REJOICING. NOW WE COMMIT THE DAY TO YOU LORD. MAY IT BE PROFITABLE IN EVERY WAY, FOR THE GOOD AND YOUR GLORY. IN CHRIST'S NAME. AMEN."

**MOTION**

On motion of Senator Day, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORT OF STANDING COMMITTEE**

February 1, 1973.

SENATE BILL NO. 2362, providing that sewer and water districts may provide life insurance for their employees (reported by Committee on Financial Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 2362 be substituted therefor and the substitute bill do pass.

Signed by: Senators Dore, Chairman; Clarke, Mardesich, Newschwander.  
Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

February 10, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 249,  
HOUSE BILL NO. 278,  
ENGROSSED HOUSE BILL NO. 284,  
HOUSE BILL NO. 389,

ENGROSSED HOUSE BILL NO. 504, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 10, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2055, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 10, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 21, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 2055.

#### MOTION

At 10:40 a.m., on motion of Senator Bailey, the Senate recessed until 11:35 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:35 a.m.

There being no objection, the Senate advanced to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2194, by Senators Gardner, Keefe, Fleming, Dore, Metcalf, Ridder, Murray and Francis (by Joint Committee on Education request):

Allowing grants to certain disadvantaged elementary and secondary students.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 2194 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

Senator Peterson (Ted) moved that Senate Bill No. 2194 be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Herr, Washington, Connor, Grant, Woody, Marsh, Donohue, Francis and Van Hollebeke.

Senators Greive, Connor and Washington demanded a Call of the Senate. A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senators Dore, Durkan and Mardesich who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President declared the question before the Senate to be the motion by Senator Peterson (Ted) that Senate Bill No. 2194 be laid upon the table.

## ROLL CALL

The Secretary called the roll and the motion by Senator Peterson (Ted) failed by the following vote: Yeas, 4; nays, 42; excused, 3.

Voting yea: Senators Canfield, Peterson (Ted), Scott, Stender—4.

Voting nay: Senators Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Excused: Senators Dore, Durkan, Mardesich—3.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gardner yield to a question? Senator Gardner, Could you tell me why the provision that says at least twenty-five percent shall be spent on students going to public schools? Why is there that disproportionate ratio?"

Senator Gardner: "I could, Senator Rasmussen, but this was a provision that Senator Francis specifically studied during the interim and I think his answer would be more complete if you would like to hear it from him."

Senator Francis: "Senator Rasmussen, during the interim I insisted that a provision be put in that at least twenty-five percent of the students who are affected by this be in public schools to make sure that as administered as well as is written, this bill will be constitutional and will be for students who are disadvantaged and will affect a substantial number of public school students as well as private school students. Now as far as the ratio is concerned, there is no minimum number of private school students. We could say the same thing, and say at least twenty-five percent also be private school students. But I think the emphasis has to be the other way because when you start talking about students' needs, tuition is a big item of expense and therefore there are natural pressures towards trying to help out those private school students who might not be able to afford tuition. The point I am trying to make with that amendment is to make certain that at least a substantial minimum of public school students are involved. I would hope, of course, the ratio would be closer to fifty-fifty but I do not think we want to write that into the bill because I think that the people who administer the bill are going to have to have some flexibility in it."

Further debate ensued.

## POINT OF INQUIRY

Senator Guess: "Would Senator Ridder yield? Senator Ridder, section 7 of the bill states, 'A state financial aid recipient under this 1973 act shall apply the award solely toward the cost of supplies, books, tuition, incidental and other fees or such other authorized expenditures as the state board of education shall deem proper'. How is that provision to be policed?"

Senator Ridder: "I presume it would be policed by the board itself. They would set the rules and regulations for maintaining this money. There is a level on the appropriation so you can only go so far and then under the guise of the amount of the appropriation and the rules as set forward this program would go on. It would be audited, of course, just as any agency would be."

Senator Guess: "Senator Ridder, do you mean that the individual is then going to have to put in a statement to the state school board is exactly the expenditure of these funds?"

Senator Ridder: "I presume this would work through the school that was accepting the student and how much it cost to do this or do that or do the other thing. Again I can see that perhaps it would be some sort of a filling out a form that says 'I spent so much for transportation,' and then this would be paid. This again would be the rules and regulations as set up by the board. They would, in their wisdom, set up a system."

"Senator Guess: "But Senator Ridder, isn't this conjecture on your part? There is nothing that requires this in the bill?"

Senator Ridder: "Personally, in this state we allow our agencies terrific latitude through rules and regulations to maintain certain programs and we are doing exactly the same thing here."

Senator Guess: "Nevertheless you will admit that this bill does not contain that paragraph which is standard to most bills that the department shall write the rules and regulations. This bill is deficient in that regard."

Senator Ridder: "I think that many other bills go through here exactly in the same format and do the same thing. They will be responsible; we say that they are going to write these rules; they will do it."

Senators Herr, Greive and Ridder demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the final passage of Senate Bill No. 2194.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2194 and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; excused, 3.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Marsh, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Ridder, Sandison, Sellar, Talley, Twigg, Van Hollebeke, Washington, Whetzel, Woodall, Woody—34.

Voting nay: Senators Atwood, Clarke, Guess, Lewis (Bob), Peterson (Ted), Rasmussen, Scott, Stender, Stortini, Walgren, Wanamaker—12.

Excused: Senators Dore, Durkan, Mardesich—3.

SENATE BILL NO. 2194, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, Senate Bill No. 2194 was ordered immediately transmitted to the House.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:30 p.m., on motion of Senator Bailey, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### MOTIONS

On motion of Senator Lewis (Harry), the rules were suspended and the Senate commenced consideration of Senate Resolution 1973-24.

Senator Lewis (Harry) moved adoption of the following resolution:



## SENATE RESOLUTION 1973-24

By Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall, Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington and Woody:

WHEREAS, The story of Abraham Lincoln from his humble beginnings through a political career that had its ups and downs to the exacting job as president during this nation's greatest crisis, is one of the greatest stories ever told; and

WHEREAS, By his leadership he took a confederation of sovereign states and shaped it into a nation, in the course of which this noble experiment in a democratic republic survived its severest test; and

WHEREAS, Our heritage is the inspiration of the accomplishments of this self-taught frontier lawyer whose steadfastness of purpose, sound judgment and indomitable will brought order out of chaos, and in addition, a legacy of writings of incomparable dignity, strength and simplicity not only profound, compassionate and inspirational but classic in content and style as well;

NOW, THEREFORE, BE IT RESOLVED, By the Senate in legislative session assembled, that we here highly resolve to rededicate ourselves to finish the work Abraham Lincoln started in order to provide a new birth of freedom and equality of opportunity for everyone within this state to the end that the government of the people by the people and for the people of the State of Washington shall flourish and be a model for all to emulate.

## MOTIONS

On motion of Senator Bailey, the rules were suspended and all members were permitted as sponsors to Senate Resolution 1973-24.

On motion of Senator Rasmussen, a copy of Senate Resolution 1973-24 is to be forwarded by the Secretary of the Senate to Mrs. Ernest Lennart, wife of former Senator Ernest Lennart.

The motion by Senator Lewis (Harry) carried and the resolution was unanimously adopted.

## MOTION

On motion of Senator Bailey, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representatives Charette and Swayze:

Calling a Joint Session to meet Senator Warren G. Magnuson.

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

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 21 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage and adopted.

SENATE BILL NO. 2604, by Senators Donohue, Durkan, Odegaard and Atwood:

An Act relating to the legislature; adding a new chapter to Title 44 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2605, by Senators Donohue, Durkan and Odegaard:

An Act relating to dispersal of funds; amending section 2, chapter 41, Laws of 1967 ex. sess. and RCW 43.06.130; amending section 3, chapter 41, Laws of 1967 ex. sess. and

RCW 43.06.140; and amending section 4, chapter 41, Laws of 1967 ex. sess. and RCW 43.88.205.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2606, by Senators Donohue and Durkan:

An Act relating to state government; and adding a new chapter to Title 44 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2607, by Senators Grant, Peterson (Ted) and Connor:

An Act relating to the department of labor and industries; and amending section 43.22.050, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1971 ex. sess. and RCW 43.22.050.

Referred to Committee on Labor.

SENATE BILL NO. 2608, by Senators Walgren, Herr and Henry:

An Act relating to franchises; and amending section 1, chapter 252, Laws of 1971 ex. sess. as amended by section 1, chapter 116, Laws of 1972 ex. sess. and RCW 19.100.010.

Referred to Commerce Committee.

SENATE BILL NO. 2609, by Senator Woodall:

An Act relating to industrial insurance; amending section 14, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.270; amending section 51.12.050, chapter 23, Laws of 1961 as amended by section 8, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.050; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 77, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.140; amending section 51.32.010, chapter 23, Laws of 1961 as amended by section 40, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.010; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 19, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.050; amending section 17, chapter 289, Laws of 1971 as amended by section 24, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.073; and adding new sections to Title 51 RCW.

Referred to Committee on Labor.

SENATE BILL NO. 2610, by Senator Woodall:

An Act relating to law enforcement officers and fire fighters; and amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.150.

Referred to Committee on Local Government.

SENATE BILL NO. 2611, by Senators Day, Durkan and Jones (by Executive request):

An Act relating to community human resources; amending section 3, chapter 111, Laws of 1967 ex. sess. as last amended by section 30, chapter 122, Laws of 1972 ex. sess. and RCW 71.24.030; and adding a new chapter to Title 36 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2612, by Senator Francis:

An Act relating to public employment; amending section 5, chapter 147, Laws of 1972 ex. sess. and RCW 41.32.583; amending section 48, chapter 80, Laws of 1947 as last amended by section 1, chapter 147, Laws of 1972 ex. sess. and RCW 41.32.480; creating a new section; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2613, by Senator Washington:

An Act relating to motor vehicles; and amending section 1, chapter 1, Laws of 1969 and RCW 46.20.308.

Referred to Judiciary Committee.

SENATE BILL NO. 2614, by Senators Whetzel, Clarke and Woody:

An Act relating to taxation; and adding a new section to chapter 83.08 RCW.  
Referred to Committee on Ways and Means.

SENATE BILL NO. 2615, by Senators Whetzel, Francis and Murray:

An Act relating to alcoholic beverage control; ending the prohibition on the sale of liquor on the campus of the University of Washington; repealing section 1, chapter 75, Laws of 1895, section 1, chapter 49, Laws of 1933 ex. sess., section 1, chapter 120, Laws of 1951, section 1, chapter 21, Laws of 1967 and RCW 66.44.190; and declaring an effective date.

Referred to Committee on Higher Education.

SENATE BILL NO. 2616, by Senators Donohue, Durkan, Odegaard and Atwood:

An Act relating to the budget and accounting system; amending section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010; amending section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030; amending section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060; amending section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080; amending section 43.88.090, chapter 8, Laws of 1965 and RCW 43.88.090; amending section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120; amending section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.88 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2617, by Senator Washington:

An Act relating to arrests; and amending section 1, chapter 198, Laws of 1969 ex. sess. and RCW 10.31.100.

Referred to Judiciary Committee.

SENATE BILL NO. 2618, by Senators Durkan and Lewis (Harry) (by Department of Employment Security request):

An Act relating to unemployment compensation; amending section 62, chapter 35, Laws of 1945 as last amended by section 1, chapter 201, Laws of 1969 ex. sess. and RCW 50.16.030; establishing an effective date; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2619, by Senators Durkan and Lewis (Harry) (by Department of Employment Security request):

An Act relating to the employment security department of the state of Washington; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2620, by Senator Gardner:

An Act relating to state government; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on State Government.

SENATE BILL NO. 2621, by Senators Guess and Donohue:

An Act relating to snowmobiles; amending section 4, chapter 29, Laws of 1971 ex. sess. as amended by section 20, chapter 153, Laws of 1972 ex. sess. and RCW 46.10.040; amending section 7, chapter 29, Laws of 1971 ex. sess. as amended by section 21, chapter 153, Laws of 1972 ex. sess. and RCW 46.10.070; amending section 8, chapter 29, Laws of 1971 ex. sess. as amended by section 22, chapter 153, Laws of 1972 ex. sess. and RCW 46.10.080; amending section 15, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.150; and adding a new section to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2622, by Senators Lewis (Harry) and Bottiger:

An Act relating to motor vehicles; amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 55, chapter 145, Laws of 1967 ex. sess. and RCW 46.20.270; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515.

Referred to Judiciary Committee.

SENATE BILL NO. 2623, by Senators Mardesich and Jones:

An Act relating to automobile insurance; adding a new chapter to Title 48 RCW; repealing section 46.08.080, chapter 12, Laws of 1961 and RCW 46.08.080; prescribing penalties; and making an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2624, by Senators Lewis (Harry), Newschwander and Mardesich:

An Act relating to property taxes; reenacting and amending section 84.36.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 64, Laws of 1971 ex. sess. and by section 70, chapter 292, Laws of 1971 ex. sess. and RCW 84.36.030; amending section 1, chapter 81, Laws of 1970 ex. sess. and RCW 84.36.350; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2625, by Senators Metcalf, Grant, Rasmussen and Canfield:

An Act relating to the senate; and adding a new section to chapter 44.08 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2626, by Senators Peterson (Ted), Knoblauch and Rasmussen:

An Act relating to veterans and veterans' relief; 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 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; and amending section 7, page 210, Laws of 1888 as last amended by section 9, chapter 47, Laws of 1970 ex. sess. and RCW 73.08.080.

Referred to Committee on State Government.

SENATE BILL NO. 2627, by Senator Day:

An Act relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Agriculture.

SENATE BILL NO. 2628, by Senator Metcalf:

An Act relating to education; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

SENATE BILL NO. 2629, by Senators Woody, Atwood and Connor:

An Act relating to unemployment compensation; amending section 19, chapter 35, Laws of 1945 as amended by section 6, chapter 265, Laws of 1951 and RCW 50.04.180; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2630, by Senators Guess, Henry and Woodall:

An Act relating to nonresident state fishing licenses; and amending section 77.32.150, chapter 36, Laws of 1955 as last amended by section 9, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.150.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2631, by Senator Bottiger:

An Act relating to local government; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Local Government.

SENATE BILL NO. 2632, by Senators Murray, Sandison and Whetzel (by Department of Highways request):

An Act relating to bicycles; and amending section 85, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.780.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2633, by Senators Atwood, Donohue, Lewis (Harry), Durkan and Odegaard:

An Act relating to the budget and accounting system; amending section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010; amending section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030; amending section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060; amending section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080; amending section 43.88.090, chapter 8, Laws of 1965 and RCW 43.88.090; amending section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120; amending section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.88 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2634, by Senators Clarke, Guess and Fleming (by Executive request):

An Act relating to buildings; and adding a new chapter to Title 19 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2635, by Senators Guess, Newschwander and Rasmussen:

An Act relating to certain moving conveyances; amending section 1, chapter 26, Laws of 1963 as amended by section 1, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.010; amending section 3, chapter 26, Laws of 1963 as last amended by section 1, chapter 66, Laws of 1971 and RCW 70.87.030; amending section 20, chapter 26, Laws of 1963 as amended by section 4, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.200; and repealing section 5, chapter 26, Laws of 1963, section 2, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.050.

Referred to Committee on Labor.

SENATE BILL NO. 2636, by Senators Bailey, Wanamaker and Washington:

An Act relating to dam safety; adding a new chapter to Title 86 RCW; and declaring an effective date.

Referred to Committee on Ecology.

SENATE BILL NO. 2637, by Senators Atwood, Donohue, Canfield, Lewis (Harry), Durkan and Odegaard:

An Act relating to the legislature; amending section 1, chapter 43, Laws of 1951 as last amended by section 4, chapter 10, Laws of 1969 and RCW 44.22.010; adding new sections to chapter 44.28 RCW; creating a new section; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2638, by Senators Woody and Grant:

An Act relating to industrial insurance; and amending section 1, chapter . . . (HB 310), Laws of 1973 and RCW 51.52.110.

Referred to Committee on Labor.

SENATE BILL NO. 2639, by Senator Walgren:

An Act relating to state highways; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 24, Laws of 1972 ex. sess. and RCW 82.36.020;

amending section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100; amending section 45, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.420; amending section 46, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.421; amending section 49, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.424; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; amending section 4, chapter 175, Laws of 1971 ex. sess. as amended by section 2, chapter 135, Laws of 1972 ex. sess. and RCW 82.38.030; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.190; amending section 10, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.040; amending section 24, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.180; amending section 32, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.260; amending section 6, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.450; amending section 14, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.080; and adding new sections to chapter 47.26 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2640, by Senators Woody and Grant:

An Act relating to liens; and adding a new chapter to Title 60 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2641, by Senator Peterson (Lowell):

An Act relating to common schools; and amending section 28A.41.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.050.

Referred to Committee on Education.

SENATE BILL NO. 2642, by Senators Durkan, Walgren and Guess:

An Act relating to the acquisition of parking facilities; adding a new section to chapter 47.12 RCW; and declaring an emergency.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2643, by Senators Dore and Mardesich:

An Act relating to bank holding companies; and amending section 30.04.230, chapter 33, Laws of 1955 as amended by section 1, chapter 69, Laws of 1961 and RCW 30.04.230.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2644, by Senators Dore and Mardesich:

An Act relating to revenue and taxation; and adding a new section to chapter 84.56 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2645, by Senator Francis:

An Act relating to the use of arrest and conviction records by insurers and employers; adding a new chapter to Title 9 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2646, by Senators Atwood and Woody:

An Act relating to the retirement of judges; and amending section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012.

Referred to Judiciary Committee.

SENATE BILL NO. 2647, by Senators Woody, Mardesich, Durkan, Day, Woodall, Guess, Lewis (Harry), Metcalf and Sellar:

An Act relating to state government; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2648, by Senators Ridder and Keefe:

An Act relating to fraternal benefit insurance; amending section .32.23, chapter 79, Laws of 1947 and RCW 48.36.230; repealing section .32.36, chapter 79, Laws of 1947, section 15, chapter 197, Laws of 1953 and RCW 48.36.360; and prescribing an effective date.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2649, by Senator Matson (by Department of Labor and Industries request):

An Act relating to the workmen's compensation advisory committee; and amending section 67, chapter 289, Laws of 1971 ex. sess. as amended by section 37, chapter 43, Laws of 1972 ex. sess. and RCW 51.04.110.

Referred to Committee on Labor.

SENATE BILL NO. 2650, by Senator Metcalf:

An Act relating to taxation; and adding a new section to chapter 28A.45 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2651, by Senator Donohue:

An Act relating to property taxes; and amending section 84.48.010, chapter 15, Laws of 1961 as amended by section 2, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.010.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2652, by Senators Greive, Washington and Peterson (Ted):

An Act relating to buildings used for commercial, public and private purposes; adding a new chapter to Title 70 RCW; repealing section 1, chapter 278, Laws of 1955 and RCW 70.86.010; repealing section 2, chapter 278, Laws of 1955 and RCW 70.86.020; repealing section 3, chapter 278, Laws of 1955 and RCW 70.86.030; repealing section 4, chapter 278, Laws of 1955 and RCW 70.86.040; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2653, by Senators Keefe, Newschwander and Peterson (Lowell):

An Act relating to electrical construction; amending section 1, chapter 130, Laws of 1913 as amended by section 1, chapter 65, Laws of 1965 ex. sess. and RCW 19.29.010; amending section 4, chapter 130, Laws of 1913 and RCW 19.29.040; repealing section 2, chapter 130, Laws of 1913 and RCW 19.29.020; repealing section 3, chapter 130, Laws of 1913, section 1, chapter 41, Laws of 1917, section 1, chapter 20, Laws of 1921, section 1, chapter 24, Laws of 1931, section 1, chapter 105, Laws of 1937 and RCW 19.29.030; repealing section 6, chapter 130, Laws of 1913 and RCW 19.29.060; and adding new sections to chapter 19.29 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2654, by Senator Day:

An Act relating to health care; and adding a new section to chapter 5.60 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2655, by Senator Francis:

An Act relating to trusts and estates; and amending section 12, chapter 55, Laws of 1969 and RCW 32.08.210.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2656, by Senators Lewis (Harry) and Sandison:

An Act relating to savings and loan associations; adding a new section to chapter 235, Laws of 1945 and to chapter 33.12 RCW; and adding a new section to chapter 235, Laws of 1945 and to chapter 33.24 RCW.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2657, by Senators Clarke and Jones:

An Act relating to shoreline areas; amending section 14, chapter 286, Laws of 1971 ex.

sess. and RCW 90.58.140; amending section 18, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.180; and declaring an emergency.

Referred to Committee on Ecology.

SENATE BILL NO. 2658, by Senators Ridder, Washington and Murray:

An Act relating to public purchasing; adding new sections to chapter 43.19 RCW; and creating a new section.

Referred to Committee on State Government.

SENATE BILL NO. 2659, by Senators Atwood, Woody and Lewis (Harry):

An Act relating to disability of state patrol officers; and amending section 43.43.040, chapter 8, Laws of 1965 and RCW 43.43.040.

Referred to Committee on Labor.

SENATE BILL NO. 2660, by Senators Wanamaker, Gardner, Sellar and Marsh:

An Act relating to revenue and taxation; providing certain tax exemptions; adding new sections to chapter 84.36 RCW; providing penalties; and making an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2661, by Senators Talley and Odegaard:

An Act relating to game; and amending section 77.12.040, chapter 36, Laws of 1955 as amended by section 3, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.040.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2662, by Senator Gardner:

An Act relating to conveyances for persons in winter sport activities; amending section 1, chapter 327, Laws of 1959 as last amended by section 1, chapter 85, Laws of 1965 ex. sess. and RCW 70.88.010; amending section 2, chapter 327, Laws of 1959 and RCW 70.88.020; amending section 3, chapter 327, Laws of 1959 and RCW 70.88.030; amending section 7, chapter 327, Laws of 1959 as amended by section 2, chapter 253, Laws of 1961 and RCW 70.88.070; amending section 8, chapter 327, Laws of 1959 and RCW 70.88.080; amending section 9, chapter 327, Laws of 1959 and RCW 70.88.090; amending section 10, chapter 327, Laws of 1959 and RCW 70.88.100; creating a new section; adding new sections to chapter 70.88 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Parks and Recreation.

SENATE BILL NO. 2663, by Senators Dore, Grant and Connor:

An Act relating to elections; adding a new section to chapter 29.85 RCW; and prescribing penalties.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2664, by Senators Ridder, Whetzel, Fleming, Francis, Grant, Peterson (Ted) and Scott:

An Act relating to community colleges; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.030; amending section 7, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.551; amending section 33, chapter 283, Laws of 1969 ex. sess. as amended by section 3, chapter 5, Laws of 1970 ex. sess. and RCW 28B.50.851; adding new sections to chapter 28B.50 RCW; and creating new sections.

Referred to Committee on Higher Education.

SENATE BILL NO. 2665, by Senators Francis and Durkan:

An Act relating to civil rights; and adding a new section to chapter 49.60 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2666, by Senator Gardner:

An Act relating to community college vocational education; adding a new section to



chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and making an appropriation.

Referred to Committee on Higher Education.

SENATE BILL NO. 2667, by Senator Dore:

An Act relating to public works; and amending section 1, chapter 166, Laws of 1921 as last amended by section 1, chapter 38, Laws of 1970 ex. sess. and RCW 60.28.010.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2668, by Senator Walgren:

An Act relating to unemployment compensation; amending section 104, chapter 35, Laws of 1945 as last amended by section 1, chapter 35, Laws of 1972 ex. sess. and RCW 50.24.160; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2669, by Senators Van Hollebeke, Marsh, Gardner, Whetzel, Greive and Knoblauch:

An Act relating to unemployment compensation; adding a new section to chapter 35, Laws of 1945 and to chapter 50.36 RCW; and prescribing penalties.

Referred to Committee on Labor.

SENATE BILL NO. 2670, by Senators Woody, Atwood and Van Hollebeke:

An Act relating to juries; amending section 70, page 235, Laws of 1854 as last amended by section 1, page 118, Laws of 1888 and RCW 12.12.030; and adding a new section to chapter 299, Laws of 1961 and to chapter 3.74 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 2671, by Senators Dore and Marsh:

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.370; and making an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2672, by Senators Durkan and Atwood (by Office of Program Planning and Fiscal Management request):

An Act relating to state government; adding a new section to chapter 43.79 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2673, by Senator Walgren:

An Act relating to higher education; and amending section 2, chapter 273, Laws of 1971 ex. sess. as amended by section 1, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.012.

Referred to Committee on Higher Education.

SENATE BILL NO. 2674, by Senators Mardesich, Lewis (Harry) and Whetzel (by Department of General Administration and Department of Commerce and Economic Development request):

An Act relating to alien banks; amending section 30.40.020, chapter 33, Laws of 1955 as amended by section 6, chapter 136, Laws of 1969 and RCW 30.40.020; amending section 30.04.290, chapter 33, Laws of 1955 as amended by section 1, chapter 20, Laws of 1961 and RCW 30.04.290; adding a new chapter to Title 30 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2675, by Senator Day:

An Act relating to chiropractic; amending section 6, chapter 5, Laws of 1919 as amended by section 4, chapter 53, Laws of 1959 and RCW 18.25.030; amending section 4,

chapter 171, Laws of 1967 and RCW 18.26.040; amending section 9, chapter 171, Laws of 1967 and RCW 18.26.090; and adding new sections to chapter 18.25 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2676, by Senator Day:

An Act relating to the practice of optometry, adding a new section to chapter 18.53 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2677, by Senators Ridder, Greive and Stortini:

An Act relating to the commercial use of electronic machines and devices; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce.

SENATE BILL NO. 2678, by Senators Ridder, Fleming and Gardner:

An Act relating to elected public officials and the recall thereof; amending section 29.82.010, chapter 9, Laws of 1965 and RCW 29.82.010; amending section 29.82.020, chapter 9, Laws of 1965 as amended by section 1, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.020; and creating a new section.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2679, by Senator Durkan:

An Act relating to public assistance; and amending section 74.08.040, chapter 26, Laws of 1959 and RCW 74.08.040.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2680, by Senator Grant:

An Act relating to local government; and adding new sections to chapter 35.21 RCW; and declaring an emergency.

Referred to Committee on Local Government.

SENATE BILL NO. 2681, by Senator Atwood:

An Act relating to the financial support of mass public transit programs; amending section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273; amending section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279; amending section 19, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.2791; amending section 20, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.2792; amending section 1, chapter 87, Laws of 1972 ex. sess. and RCW 82.44.150; adding a new section to chapter 255, Laws of 1969 ex. sess. and to chapter 35.58 RCW; repealing section 9, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.274; repealing section 10, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.275; repealing section 11, chapter 255, Laws of 1969 ex. sess., section 1, chapter 199, Laws of 1971 ex. sess. and RCW 35.58.276; repealing section 12, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.277; repealing section 13, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.278; and declaring an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2682, by Senators Fleming, Woodall and Connor (by Lieutenant Governor request):

An Act relating to professional sports; and adding a new chapter to Title 44 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 2683, by Senator Knoblauch:

An Act relating to unfair business practices; and adding a new section to chapter 19.86 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2684, by Senator Twigg:

An Act relating to revenue and taxation; amending section 82.12.030, chapter 15,

Laws of 1961, as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2685, by Senator Francis:

An Act relating to motor vehicles; amending section 4, chapter 232, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1971 ex. sess. and RCW 46.37.530; and repealing section 10, chapter 232, Laws of 1967 and RCW 46.37.535.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2686, by Senators Talley, Marsh and Henry:

An Act relating to public highways; adding new sections to chapter 47.12 RCW; and making an appropriation.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2687, by Senators Talley, Jolly and Canfield:

An Act relating to the public employees' retirement system; amending section 5, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.185 and amending section 28, chapter 274, Laws of 1947 as last amended by section 12, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.270.

Referred to Committee on State Government.

SENATE BILL NO. 2688, by Senators Peterson (Lowell) and Talley:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2689, by Senators Mardesich, Gardner and Woody:

An Act relating to juvenile courts; amending section 5, chapter 126, Laws of 1913 as last amended by section 1, chapter 111, Laws of 1972 ex. sess. and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1972 ex. sess. and RCW 10.10.112; amending section 5, chapter 13, Laws of 1965 as last amended by section 15, chapter 302, Laws of 1971 ex. sess. and RCW 26.44.050; amending section 10, chapter 167, Laws of 1967 as last amended by section 45, chapter 292, Laws of 1971 ex. sess. and RCW 46.20.293; adding a new chapter to Title 13 RCW; recodifying section 13, chapter 160, Laws of 1913 as amended by section 1, chapter 121, Laws of 1945 and RCW 13.04.135; recodifying section 18, chapter 160, Laws of 1913 and RCW 13.04.180; repealing section 1, chapter 160, Laws of 1913, section 1, chapter 302, Laws of 1961 and RCW 13.04.010; repealing section 2, chapter 160, Laws of 1913, section 1, chapter 135, Laws of 1921, section 1, chapter 176, Laws of 1929, section 1, chapter 65, Laws of 1937 and RCW 13.04.030; repealing section 3, chapter 160, Laws of 1913, section 1, chapter 43, Laws of 1921, section 1, chapter 270, Laws of 1951, section 9, chapter 331, Laws of 1959 and RCW 13.04.040; repealing section 4, chapter 160, Laws of 1913 and RCW 13.04.050; repealing section 2, chapter 302, Laws of 1961 and RCW 13.04.053; repealing section 3, chapter 302, Laws of 1961 and RCW 13.04.056; repealing section 5, chapter 160, Laws of 1913 and RCW 13.04.060; repealing section 6, chapter 160, Laws of 1913 and RCW 13.04.070; repealing section 7, chapter 160, Laws of 1913, section 4, chapter 302, Laws of 1961 and RCW 13.04.080; repealing section 5, chapter 302, Laws of 1961 and RCW 13.04.091; repealing section 6, chapter 302, Laws of 1961, section 1, chapter 137, Laws of 1967 and RCW 13.04.095; repealing section 8, chapter 160, Laws of 1913, section 7, chapter 302, Laws of 1961, section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100; repealing section 1, chapter 188, Laws of 1955, section 8, chapter 302, Laws of 1961 and RCW 13.04.105; repealing section 9, chapter 160, Laws of 1913 and RCW 13.04.110; repealing section 11, chapter 160, Laws of 1913 and RCW 13.04.115; repealing section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120; repealing section 2, chapter 132,

Laws of 1945 and RCW 13.04.130; repealing section 15, chapter 160, Laws of 1913 and RCW 13.04.150; repealing section 16, chapter 160, Laws of 1913 and RCW 13.04.160; repealing section 1, chapter 116, Laws of 1953 and RCW 13.04.170; repealing section 10, chapter 302, Laws of 1961 and RCW 13.04.190; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200; repealing section 13, chapter 302, Laws of 1961 and RCW 13.04.210; repealing section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220; repealing section 15, chapter 302, Laws of 1961 and RCW 13.04.230; repealing section 16, chapter 302, Laws of 1961 and RCW 13.04.240; repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959 and RCW 13.08.190; and making an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 2690, by Senators Francis and Murray:

An Act relating to domestic relations; adding a new chapter to Title 43 RCW; repealing section 1, chapter 215, Laws of 1949 and RCW 26.08.010; repealing section 2, chapter 215, Laws of 1949, section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020; repealing section 3, chapter 215, Laws of 1949, section 1, chapter 28, Laws of 1970 ex. sess. and RCW 26.08.030; repealing section 4, chapter 215, Laws of 1949 and RCW 26.08.040; repealing section 5, chapter 215, Laws of 1949 and RCW 26.08.050; repealing section 6, chapter 215, Laws of 1949 and RCW 26.08.060; repealing section 7, chapter 215, Laws of 1949 and RCW 26.08.070; repealing section 8, chapter 215, Laws of 1949, section 1, chapter 21, Laws of 1972 ex. sess. and RCW 26.08.080; repealing section 9, chapter 215, Laws of 1949, section 70, chapter 81, Laws of 1971 and RCW 26.08.090; repealing section 10, chapter 215, Laws of 1949 and RCW 26.08.100; repealing section 11, chapter 215, Laws of 1949 and RCW 26.08.110; repealing section 12, chapter 215, Laws of 1949 and RCW 26.08.120; repealing section 13, chapter 215, Laws of 1949 and RCW 26.08.130; repealing section 14, chapter 215, Laws of 1949 and RCW 26.08.140; repealing section 15, chapter 215, Laws of 1949 and RCW 26.08.150; repealing section 16, chapter 215, Laws of 1949 and RCW 26.08.160; repealing section 17, chapter 215, Laws of 1949 and RCW 26.08.170; repealing section 18, chapter 215, Laws of 1949 and RCW 26.08.180; repealing section 19, chapter 215, Laws of 1949 and RCW 26.08.190; repealing section 20, chapter 215, Laws of 1949 and RCW 26.08.200; repealing section 21, chapter 215, Laws of 1949 and RCW 26.08.210; repealing section 11, chapter 26, Laws of 1967 and RCW 26.08.215; repealing section 22, chapter 215, Laws of 1949 and RCW 26.08.220; repealing section 22, chapter 135, Laws of 1949 and RCW 26.08.230; repealing section 1, chapter 50, Laws of 1949 and RCW 26.12.010; repealing section 2, chapter 50, Laws of 1949 and RCW 26.12.020; repealing section 3, chapter 50, Laws of 1949 and RCW 26.12.030; repealing section 4, chapter 50, Laws of 1949 and RCW 26.12.040; repealing section 5, chapter 50, Laws of 1949, section 1, chapter 83, Laws of 1965 ex. sess. and RCW 26.12.050; repealing section 6, chapter 50, Laws of 1949 and RCW 26.12.060; repealing section 7, chapter 50, Laws of 1949 and RCW 26.12.070; repealing section 8, chapter 50, Laws of 1949 and RCW 26.12.080; repealing section 9, chapter 50, Laws of 1949 and RCW 26.12.090; repealing section 10, chapter 50, Laws of 1949 and RCW 26.12.100; repealing section 11, chapter 50, Laws of 1949 and RCW 26.12.110; repealing section 12, chapter 50, Laws of 1949 and RCW 26.12.120; repealing section 13, chapter 50, Laws of 1949 and RCW 26.12.130; repealing section 14, chapter 50, Laws of 1949, section 1, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.140; repealing section 15, chapter 50, Laws of 1949 and RCW 26.12.150; repealing section 16, chapter 50, Laws of 1949 and RCW 26.12.160; repealing section 17, chapter 50, Laws of 1949, section 2, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.170; repealing section 18, chapter 50, Laws of 1949 and RCW 26.12.180; repealing section 19, chapter 50, Laws of 1949 and RCW 26.12.190; repealing section 20, chapter 50, Laws of 1949 and RCW 26.12.200; repealing section 21, chapter 50, Laws of 1949 and RCW 26.12.210; and making an appropriation.

Referred to Judiciary Committee.

SENATE BILL NO. 2691, by Senator Grant (by Department of Labor and Industries request):

An Act relating to workmen's compensation; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 7, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.020; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 19, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 20, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.060; and amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 22, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.090.

Referred to Committee on Labor.

SENATE BILL NO. 2692, by Senator Bottiger:

An Act relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; amending section 7, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.060; creating a new section; repealing section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; repealing section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2693, by Senators Ridder and Greive:

An Act relating to promotional activities in business; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2694, by Senators Dore and Donohue:

An Act relating to business and occupation taxes; amending section 82.04.080, chapter 15, Laws of 1961 and RCW 82.04.080; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2695, by Senators Dore and Day:

An Act relating to laws against discrimination; amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as amended by section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.030; amending section 3, chapter 183, Laws of 1949 as last amended by section 3, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.040; amending section 8, chapter 270, Laws of 1955 as last amended by section 1, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as amended by section 2, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.130; amending section 1, chapter 68, Laws of 1959 and RCW 49.60.175; amending section 9, chapter 37, Laws of 1957 as last amended by section 3, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 4, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 as last amended by section 5, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.200; amending section 14, chapter 37, Laws of 1957 and RCW 49.60.215; amending section 4, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.222; amending section 5, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.223; amending section 6, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.224; and amending section 7, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.225.

Referred to Judiciary Committee.

SENATE BILL NO. 2696, by Senators Peterson (Lowell) and Day:

An Act relating to the practice of medicine and surgery; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2697, by Senators Washington and Gardner (by Lieutenant Governor request):

An Act relating to certain appointed public officials; and adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2698, by Senator Francis:

An Act relating to community colleges; amending section 33, chapter 283, Laws of 1969 ex. sess. as amended by section 3, chapter 5, Laws of 1970 ex. sess. and RCW 28B.50.851; amending section 36, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.856; and amending section 45, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.869.

Referred to Committee on Higher Education.

SENATE BILL NO. 2699, by Senators Woody, Mardesich, Connor, Grant and Stender:

An Act relating to private pension rights and benefits.

Referred to Committee on Labor.

SENATE BILL NO. 2700, by Senator Grant:

An Act relating to disability insurance for workmen.

Referred to Committee on Labor.

SENATE BILL NO. 2701, by Senator Matson:

An Act relating to state government; providing for a migrant worker labor camp demonstration project and making an appropriation.

Referred to Committee on Labor.

SENATE BILL NO. 2702, by Senator Walgren:

An Act relating to utilities.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2703, by Senator Walgren:

An Act relating to utilities.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2704, by Senators Woody, Mardesich, Grant, Guess and Whetzel:

An Act relating to state government and creating a committee on private pension rights and benefits.

Referred to Committee on Labor.

SENATE BILL NO. 2705, by Senators Peterson (Lowell) and Peterson (Ted):

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2706, by Senators Peterson (Lowell) and Peterson (Ted):

An Act relating to the department of fisheries.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2707, by Senator Dore:

An Act relating to financial institutions.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2708, by Senators Peterson (Lowell) and Peterson (Ted):

An Act relating to game and game fish.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2709, by Senator Talley:  
An Act relating to sewer districts.  
Referred to Committee on Local Government.

SENATE BILL NO. 2710, by Senators Peterson (Lowell) and Peterson (Ted):  
An Act relating to the department of game.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2711, by Senators Peterson (Lowell) and Peterson (Ted):  
An Act relating to game and game fish.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2712, by Senators Peterson (Lowell) and Peterson (Ted):  
An Act relating to food fish and shellfish.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2713, by Senator Talley:  
An Act relating to sewer districts.  
Referred to Committee on Local Government.

SENATE BILL NO. 2714, by Senator Walgren:  
An Act relating to utilities.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2715, by Senators Peterson (Lowell) and Peterson (Ted):  
An Act relating to food fish and shellfish.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2716, by Senator Bottiger:  
An Act relating to state employees; and adding a new section to chapter 41.06 RCW.  
Referred to Committee on Labor.

SENATE BILL NO. 2717, by Senators Durkan, Peterson (Ted), Sandison and Walgren:  
An Act relating to state government and establishing an organized crime intelligence  
unit within the Washington state patrol.  
Referred to Judiciary Committee.

SENATE BILL NO. 2718, by Senator Peterson (Lowell):  
An Act relating to game and game fish.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2719, by Senator Gardner:  
An Act relating to public employment.  
Referred to Committee on State Government.

SENATE BILL NO. 2720, by Senators Washington and Gardner (by Superintendent of  
Public Instruction request):  
An Act relating to education.  
Referred to Committee on Education.

SENATE BILL NO. 2721, by Senator Gardner (by Superintendent of Public  
Instruction request):  
An Act relating to education.  
Referred to Committee on Education.

SENATE BILL NO. 2722, by Senator Sandison:  
An Act relating to higher education.  
Referred to Committee on Higher Education.

SENATE BILL NO. 2723, by Senator Bottiger:  
An Act relating to counties.  
Referred to Committee on Local Government.

SENATE BILL NO. 2724, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2725, by Senator Fleming:  
An Act relating to local government reorganization.  
Referred to Committee on Local Government.

SENATE BILL NO. 2726, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2727, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2728, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2729, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2730, by Senator Fleming:  
An Act relating to local government, including cities, towns, counties and other local subdivisions.  
Referred to Committee on Local Government.

SENATE BILL NO. 2731, by Senator Rasmussen:  
An Act relating to utilities.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2732, by Senator Mardesich:  
An Act relating to pension rights and benefits.  
Referred to Committee on Labor.

SENATE BILL NO. 2733, by Senator Mardesich:  
An Act relating to banks and trust companies.  
Referred to Committee on Financial Institutions.

SENATE BILL NO. 2734, by Senator Mardesich:  
An Act relating to the department of commerce and economic development; and establishing a division thereof to coordinate federal funds and programs.  
Referred to Committee on Ways and Means.



SENATE BILL NO. 2735, by Senator Sandison:  
An Act relating to state forest lands.  
Referred to Committee on Natural Resources.

SENATE BILL NO. 2736, by Senator Marsh:  
An Act relating to the theft and illegal use of cable communication services.  
Referred to Judiciary Committee.

SENATE BILL NO. 2737, by Senators Sandison and Scott:  
An Act relating to the council on higher education.  
Referred to Committee on Higher Education.

SENATE BILL NO. 2738, by Senator Bottiger:  
An Act relating to pollution control.  
Referred to Committee on Ecology.

SENATE BILL NO. 2739, by Senators Donohue, Lewis (Harry) and Sandison:  
An Act relating to the state colleges and universities.  
Referred to Committee on Higher Education.

SENATE BILL NO. 2740, by Senators Donohue, Scott and Sandison:  
An Act relating to higher education.  
Referred to Committee on Higher Education.

SENATE BILL NO. 2741, by Senators Guess, Washington and Henry:  
An Act relating to the regulation of vehicle dealers, manufacturers and salesmen; amending section 46.16.045, chapter 12, Laws of 1961 and RCW 46.16.045; and creating new sections.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2742, by Senator Day:  
An Act relating to public assistance.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2743, by Senator Sandison:  
An Act relating to community colleges.  
Referred to Committee on Higher Education.

SENATE BILL NO. 2744, by Senator Gardner (by Superintendent of Public Instruction request):  
An Act relating to education.  
Referred to Committee on Education.

SENATE BILL NO. 2745, by Senator Gardner (by Superintendent of Public Instruction request):  
An Act relating to education.  
Referred to Committee on Education.

SENATE BILL NO. 2746, by Senator Fleming:  
An Act relating to sickle cell anemia; and adding a new chapter to Title 70 RCW.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2747, by Senator Francis:  
An Act relating to insurance and providing for sterilization benefits.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2748, by Senator Walgren:

An Act relating to transportation.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2749, by Senator Walgren:  
An Act relating to transportation.  
Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2750, by Senator Day:  
An Act relating to state government, providing for comprehensive health planning, and certificates of need for hospital and nursing home construction; and adding a new chapter to Title 70 RCW.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2751, by Senator Bailey:  
An Act creating the joint committee on governmental cooperation.  
Referred to Committee on State Government.

SENATE BILL NO. 2752, by Senator Durkan:  
An Act relating to state government permitting certain state employees to be members of labor unions for purposes of collective bargaining.  
Referred to Committee on Labor.

SENATE BILL NO. 2753, by Senator Durkan:  
An Act relating to housing; and creating a new chapter in Title 43 RCW.  
Referred to Committee on Financial Institutions.

SENATE BILL NO. 2754, by Senator Francis:  
An Act relating to the establishment of a state growth commission.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2755, by Senator Day:  
An Act relating to optometry.  
Referred to Committee on Social and Health Services.

SENATE BILL NO. 2756, by Senator Talley:  
An Act relating to port districts.  
Referred to Committee on Local Government.

SENATE BILL NO. 2757, by Senator Talley:  
An Act relating to port districts.  
Referred to Committee on Local Government.

SENATE BILL NO. 2758, by Senators Greive and Wanamaker:  
An Act relating to commerce.  
Referred to Committee on Commerce.

SENATE BILL NO. 2759, by Senators Greive and Wanamaker:  
An Act relating to commerce.  
Referred to Committee on Commerce.

SENATE BILL NO. 2760, by Senators Lewis (Harry) and Atwood:  
An Act relating to state funds; amending section 43.79.260, chapter 8, Laws of 1965 and RCW 43.79.260; amending section 43.79.270, chapter 8, Laws of 1965 and RCW 43.79.270; amending section 43.79.280, chapter 8, Laws of 1965 and RCW 43.79.280; and repealing section 43.79.250, chapter 8, Laws of 1965 and RCW 43.79.250.  
Referred to Committee on Ways and Means.

SENATE BILL NO. 2761, by Senators Lewis (Harry) and Atwood:

An Act relating to the legislature; amending section 1, chapter 43, Laws of 1951 as last amended by section 4, chapter 10, Laws of 1969 and RCW 44.28.010; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2762, by Senator Mardesich:

An Act relating to the state civil service law; and adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2763, by Senators Lewis (Harry) and Atwood:

An Act relating to the legislature; amending section 1, chapter 20, Laws of 1891 and RCW 44.04.010; adding a new section to chapter 44.04 RCW; and prescribing an effective date.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2764, by Senators Atwood and Lewis (Harry):

An Act relating to the legislature, including operations and administration of the legislative council.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2765, by Senator Lewis (Harry):

An Act relating to public lands; and creating a new section.

Referred to Committee on State Government.

SENATE BILL NO. 2766, by Senator Greive:

An Act relating to electronic equipment.

Referred to Committee on Commerce.

SENATE BILL NO. 2767, by Senator Day:

An Act relating to public assistance.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2768, by Senators Guess, Durkan and Lewis (Bob):

An Act relating to outdoor advertising.

Referred to Committee on Transportation and utilities.

SENATE BILL NO. 2769, by Senator Peterson (Lowell):

An Act relating to private security agencies.

Referred to Committee on Commerce.

SENATE BILL NO. 2770, by Senator Washington:

An Act relating to the conservation of the public domain.

Referred to Committee on Ecology.

SENATE BILL NO. 2771, by Senator Washington:

An Act relating to ecology.

Referred to Committee on Ecology.

SENATE BILL NO. 2772, by Senator Scott:

An Act relating to controlled substances.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2773, by Senators Greive and Wanamaker:

An Act relating to commerce.

Referred to Committee on Commerce.

SENATE BILL NO. 2774, by Senator Greive:

An Act relating to business promotional activities.

Referred to Committee on Commerce.

SENATE BILL NO. 2775, by Senator Washington:

An Act relating to retirement benefits.

Referred to Committee on State Government.

SENATE BILL NO. 2776, by Senator Mardesich:

An Act relating to the bureau of criminal identification of the Washington state patrol.

Referred to Judiciary Committee.

SENATE BILL NO. 2777, by Senator Day:

An Act relating to the practice of electrology; and adding new sections to chapter 18.18 RCW.

Referred to Social and Health Services.

SENATE BILL NO. 2778, by Senator Herr:

An Act relating to motor vehicle driver's licenses; and amending section 1, chapter 1, Laws of 1969 (Initiative Measure No. 242, section 1) and RCW 46.20.308.

Referred to Judiciary Committee.

SENATE BILL NO. 2779, by Senator Connor:

An Act relating to insurance; amending section .18.34, chapter 79, Laws of 1947 and RCW 48.18.340; amending section .18.48, chapter 79, Laws of 1947 as amended by section 12, chapter 193, Laws of 1957 and RCW 48.18.480; and adding new sections to Title 48 RCW.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2780, by Senator Lewis (Harry):

An Act relating to elections; and amending section 29.64.030, chapter 9, Laws of 1965 and RCW 29.64.030.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2781, by Senator Herr:

An Act relating to motor vehicle driver's licenses; and reenacting and amending section 46.20.390, chapter 12, Laws of 1961 as amended by section 32, chapter 32, Laws of 1967 and RCW 46.20.390.

Referred to Judiciary Committee.

SENATE BILL NO. 2782, by Senator Herr:

An Act relating to motor vehicle driver's licenses; and amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 55, chapter 145, Laws of 1967 ex. sess. and RCW 46.20.270.

Referred to Judiciary Committee.

SENATE BILL NO. 2783, by Senators Henry and Lewis (Harry):

An Act relating to elections; amending section 29.51.100, chapter 9, Laws of 1965, as amended by section 15, chapter 101, Laws of 1965 ex. sess. and RCW 29.51.100; amending section 29.51.170, chapter 9, Laws of 1965 as last amended by section 28, chapter 109, Laws of 1967 ex. sess. and RCW 29.51.170; and adding a new section to chapter 29.51 RCW.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2784, by Senator Sandison:

An Act relating to public land; and creating new sections.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2785, by Senators Lewis (Harry), Walgren and Twigg:

An Act relating to public employees; and amending section 1, chapter 264, Laws of 1971 ex. sess. as amended by section 1, chapter 19, Laws of 1972 ex. sess. and RCW 41.04.250.

Referred to Committee on State Government.

SENATE BILL NO. 2786, by Senators Washington and Murray:

An Act relating to education; amending section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; amending section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; amending section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; amending section 28A.72.070, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; amending section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.005; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as amended by section 145, chapter 176, Laws of 1969 ex. sess. and RCW 28A.70.140; amending section 28A.70.170, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 48, Laws of 1971 and RCW 28A.70.170; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW; creating new sections; and repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060.

Referred to Committee on Education.

SENATE BILL NO. 2787, by Senator Wanamaker:

An Act relating to vehicle licenses; amending section 46.16.070, chapter 12, Laws of 1961 as last amended by section 54, chapter 281, Laws of 1969 ex. sess. and RCW 46.16.070; amending section 57, chapter 83, Laws of 1967 ex. sess. as last amended by section 1, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.111; amending section 46.16.180, chapter 12, Laws of 1961 and RCW 46.16.180; repealing section 58, chapter 83, Laws of 1967 ex. sess. and RCW 46.16.121; repealing section 46.16.125, chapter 12, Laws of 1961, section 60, chapter 83, Laws of 1967 ex. sess. and RCW 46.16.125; prescribing an effective date; declaring an emergency; and making an effective date.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2788, by Senator Durkan:

An Act relating to retail credit; amending section 1, chapter 236, Laws of 1963 as amended by section 1, chapter 47, Laws of 1972 ex. sess. and RCW 63.14.010; amending section 4, chapter 236, Laws of 1963 as last amended by section 2, chapter 47, Laws of 1972 ex. sess. and RCW 63.14.040; amending section 8, chapter 236, Laws of 1963 as amended by section 5, chapter 234, Laws of 1967 and RCW 63.14.080; amending section 11, chapter 236, Laws of 1963 as amended by section 6, chapter 234, Laws of 1967 and RCW 63.14.110; amending section 12, chapter 236, Laws of 1963 as last amended by section 3, chapter 47, Laws of 1972 ex. sess. and RCW 63.14.120; amending section 13, chapter 236, Laws of 1963 as last amended by section 3, chapter 2, Laws of 1969 and RCW 63.14.130; amending section 11, chapter 234, Laws of 1967 and RCW 63.14.152; amending section 14, chapter 234, Laws of 1967 and RCW 63.14.158; and amending section 18, chapter 236, Laws of 1963 as amended by section 10, chapter 234, Laws of 1967 and RCW 63.14.180.

Referred to Committee on Commerce.

SENATE BILL NO. 2789, by Senator Washington:

An Act relating to state government; creating the department of mass transportation; adding new sections to Title 47 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 2790, by Senators Ridder and Peterson (Lowell) (by Office of Program Planning and Fiscal Management request):

An Act relating to forest fire protection; amending section 2, chapter 105, Laws of 1917 as last amended by section 14, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.360; adding a new section to chapter 76.04 RCW; and declaring an emergency.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2791, by Senator Henry:

An Act relating to nonpartisan elections.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2792, by Senator Washington:

An Act relating to transportation.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2793, by Senator Washington:

An Act relating to agriculture.

Referred to Committee on Agriculture.

SENATE BILL NO. 2794, by Senator Durkan:

An Act relating to state government permitting public utility districts to guarantee certain collective bargaining agreements.

Referred to Committee on Labor.

SENATE BILL NO. 2795, by Senator Washington:

An Act relating to the establishment of a legislative liaison office in Washington D.C.

Referred to Committee on State Government.

SENATE BILL NO. 2796, by Senators Washington and Henry:

An Act relating to transportation.

Referred to Committee on Transportation and Utilities.

SENATE BILL NO. 2797, by Senator Day:

An Act relating to lotteries.

Referred to Committee on State Government.

SENATE JOINT MEMORIAL NO. 117, by Senators Durkan, Whetzel and Francis:  
Memorializing Congress to establish a wildlife refuge on the Nisqually Delta.

Referred to Committee on Natural Resources.

SENATE JOINT MEMORIAL NO. 118, by Senators Ridder, Fleming, Connor and Dore:

Memorializing Congress with respect to Seattle's public service hospital.

Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 119, by Senators Metcalf and Murray:

Proposing amendments to federal constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT MEMORIAL NO. 120, by Senators Sellar and Murray:

Requesting continued federal funding of the Seattle/King county Alcohol Safety Action Project.

Referred to Committee on Social and Health Services.

SENATE JOINT RESOLUTION NO. 120, by Senators Donohue, Durkan, Odegaard and Atwood:

Amending the Constitution to provide for emergency appropriations.

Referred to Committee on Ways and Means.

SENATE JOINT RESOLUTION NO. 121, by Senators Atwood, Donohue, Canfield, Lewis (Harry), Durkan and Odegaard:

Amending the Constitution to create a legislative committee to disburse funds when the legislature is not in session.

Referred to Committee on Ways and Means.

SENATE JOINT RESOLUTION NO. 122, by Senator Francis:

Amending the Constitution to allow alternative ways to amend the Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 123, by Senators Atwood and Lewis (Harry):

Amending the Constitution to provide for annual sessions of the legislature.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 124, by Senator Washington:

Amending the state Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 125, by Senator Dore:

Providing for a reduction in the size of the legislature.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 126, by Senator Ridder:

Providing funding for public pension and retirement system.

Referred to Committee on Ways and Means.

SENATE JOINT RESOLUTION NO. 127, by Senator Washington:

Amending the Constitution to allow the state to lend its credit.

Referred to Committee on Ways and Means.

SENATE JOINT RESOLUTION NO. 128, by Senators Washington and Grant:

Amending the state Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 129, by Senators Grant and Washington:

Amending the state Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 130, by Senators Metcalf and Murray:

Proposing state constitutional convention.

Referred to Committee on Constitution and Elections.

SENATE CONCURRENT RESOLUTION NO. 114, by Senator Bailey:

Recreating the joint committee on governmental cooperation.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 249, by Representatives Kopet, Thompson and Bluechel:

Providing for the abolishment of the weather modification board.

Referred to Committee on Ecology.

HOUSE BILL NO. 278, by Representatives Haussler, Flanagan, Brown, Ellis, Bender, Clemente and Tilly (by Joint Committee on Education request):

Implementing the law relating to joint school districts.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 284, by Representatives Hoggins, Charnley and Moon (by Legislative Council request):

Providing for the preservation and recording of surveys.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 389, by Representatives Bluechel, Thompson, Hurley and Randall (by Commissioner of Public Lands and Department of Commerce and Economic Development request):

Providing for the exchange of lands having commercial recreational leasing potential.

Referred to Committee on Parks and Recreation.

ENGROSSED HOUSE BILL NO. 504, by Representatives Benitz, Kilbury, Van Dyk, Berentson, Newhouse and Bauer:

Implementing the laws of agricultural marketing and providing for various securities in lieu of bond.

Referred to Committee on Agriculture.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills: 2604, 2616, 2625, 2633, 2637, 2647, 2664, 2669, 2699, 2704 and 2717; also Senate Joint Memorial 118, Senate Joint Resolutions 120 and 121.

#### MOTION

At 1:50 p.m., on motion of Senator Bailey, the Senate adjourned until 9:30 a.m., Tuesday, February 13, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



**THIRTY-SEVENTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Tuesday, February 13, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Metcalf. On motion of Senator Scott, Senator Metcalf was excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages John Hicks and Arlene Abbott, presented the Colors. Reverend Glen C. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR FATHER, AS WE BEGIN THIS DAY OF WORK, WE ARE REMINDED OF WHAT DAVID SAID CENTURIES AGO . . . ‘THIS IS THE DAY THE LORD HAS MADE, I WILL REJOICE AND BE GLAD IN IT.’ WE WANT TO GIVE YOU OUR PERSONAL THANKS FOR THIS WONDERFUL MORNING. YOU HAVE GIVEN US WONDERFUL FAMILIES, GREAT FRIENDS, AND A GLORIOUS OPPORTUNITY TO SERVE OUR FELLOW MAN. WE ALSO KNOW THAT WE HAVE MADE OUR SHARE OF MISTAKES, THAT SOME THINGS HAVE NOT BEEN DONE AS WELL AS THEY SHOULD. BUT YOUR GREAT LOVE SEES BEYOND THAT AND REACHES OUT TO HELP US IN THE TASKS OF TODAY. GIVE US WISDOM FOR WHAT LIES AHEAD AND HELP US TO KNOW THAT YOU WILL TAKE CARE OF US ALL. HELP US, ABOVE EVERYTHING ELSE, TO KNOW THAT JESUS CHRIST, WHO DIED ON THE CROSS FOR SALVATION AND OUR REDEMPTION, IS THE GREATEST GUIDE AND THE GREATEST FRIEND OF ALL. THAT HIS LOVE IS UNCONDITIONAL. THANK YOU, FATHER, FOR THE HELP THESE SENATORS NEED TODAY TO CARRY OUT THE RESPONSIBILITIES OF THEIR OFFICE. ENDOW THEM WITH COURAGE TO DO THE RIGHT AND WITH WISDOM THAT IS NOT FROM THIS EARTH, BUT FROM ABOVE. IN JESUS’ NAME. AMEN.”

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**MOTION**

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 10:35 a.m.

## REPORTS OF STANDING COMMITTEES

February 8, 1973.

SENATE BILL NO. 2076, limiting amount of seniority teachers can transfer to another school district (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Fleming, Murray, Odegaard.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2093, establishing procedures for the disposition of certain monies not otherwise provided for by law (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2107, repealing authorization for land reclamation tax levy (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Marsh, Metcalf, Ridder.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2109, providing procedures for advance payment of services rendered to the state (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2240, establishing hearing procedures for return of out-of-state parole violators (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2244, implementing law of revocation of parole and probation (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2281, changing law respecting school district's contribution for insurance and protection of board members, employees, etc. (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2318, requiring the regional plans and programs of regional planning commissions to conform to those of counties and municipalities within the region, to the extent the commission's position cannot be justified to the county or municipality (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2327, increasing certain workmen's compensation benefits (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2345, providing for a legislative auditor (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Grant, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2378, providing for the sale of certain property held by the highway department (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Rasmussen, Sellar, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2432, regulating sale and transfer of devices adapted for the use of drugs by injection (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2464, providing for competitive bidding for highway construction and maintenance (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Jolly, Knoblauch, Lewis (Bob), Rasmussen, Sellar, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2491, authorizing the department of social and health services to make payment of state funds to counties for special adult supervision programs (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2504, establishing a board on geographic names (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2511, amending provisions regarding solicitation of orders by representatives of wineries and distilleries (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2512, authorizing the liquor control board to establish additional agencies (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2522, amending provisions regarding state highway routes (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Rasmussen, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2618, defining the conditions for use of certain unemployment funds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Donohue, Vice Chairman; Atwood, Gardner, Lewis (Harry), Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2619, appropriating funds for the employment security department (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Gardner, Lewis (Harry), Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

February 12, 1973.

LEROY M. HITTLE, to the position of member of the Washington State Liquor Control Board, appointed by the Governor on January 9, 1973 for the term ending January 15, 1982, succeeding himself (reported by the Committee on State Government):

Recommends that said appointment be confirmed.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules.

#### MESSAGE FROM THE HOUSE

February 12, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 204,

ENGROSSED HOUSE BILL NO. 262,

ENGROSSED HOUSE BILL NO. 280,

ENGROSSED HOUSE BILL NO. 320,

HOUSE BILL NO. 360,

ENGROSSED HOUSE BILL NO. 366,

ENGROSSED HOUSE BILL NO. 381,

ENGROSSED HOUSE BILL NO. 388, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2798, by Senator Ridder:

An Act relating to taxes upon insurance premiums; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.14 RCW.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 204, by Representatives Adams, Zimmerman, Perry, Parker and Kelley:

Requiring disclosure of certain financial interests by medical practitioners.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 262, by Representatives Smythe, Bauer, Zimmerman and Laughlin:

Creating a board of trustees for the state school for the blind.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 280, by Representatives Paris, Conner and Chatalas (by Department of Social and Health Services request):

Changing the terms of certain advisory councils of the department of social and health services and eliminating certain committees.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 320, by Representatives Erickson and Ehlers:

Enlarging the area of residence for persons eligible for membership in the state soldiers' home.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 360, by Representatives Bauer, Kraabel, Erickson, Ceccarelli, Gaines, Laughlin and Paris:

Authorizing use of school buses to transport elderly persons to beneficial programs or activities.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 366, by Representatives Bauer, Rabel, Erickson, Ceccarelli, Gaines, Hendricks, Laughlin, Paris and Smythe:

Authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 381, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants.

Referred to Committee on Ecology.

ENGROSSED HOUSE BILL NO. 388, by Representatives Maxie, Smythe, O'Brien and Van Dyk (by Joint Committee on Education request):

Making substantive changes to education code.

Referred to Committee on Education.

## SECOND READING

SENATE BILL NO. 2008, by Senator Bottiger:

Providing that a parent may obtain the address of his children under the care of the department of social and health services.

The Senate resumed consideration of Senate Bill No. 2008. The committee amendment to page 1, section 1, line 23 was adopted on Saturday, February 10, 1973.

On motion of Senator Day, the committee amendment to page 1, section 1, line 25 was adopted.

On motion of Senator Bottiger, the following amendment was adopted:

On page 2, following line 18 add a new section to read as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 74.04 RCW a new section to read as follows:

Upon written request of a person who has been properly identified as an officer of the law with a felony arrest warrant or a properly identified United States Immigration official with a warrant for an illegal alien the department shall disclose to such officer the current address and location of the person properly described in the warrant.

*NEW SECTION.* Sec. 3. If any provision of this 1973 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On motion of Senator Bottiger, the following amendment to the title was adopted:

On line 1 of the title after "assistance;" strike "and" and on line 2 after "74.04.060" and before the period insert "; and adding a new section to chapter 74.04 RCW"

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 2008 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2008, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Metcalf—2.

ENGROSSED SENATE BILL NO. 2008, having received the 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. 2282, by Senators Francis, Marsh, Jones, Day and Talley:

Providing interpreters in legal proceedings to certain persons with speech or hearing impairments.

The Senate resumed consideration of Senate Bill No. 2282, the bill having been read by sections on Saturday, February 10, 1973.

On motion of Senator Francis, the following amendments by Senators Francis and Atwood were adopted:

On page 1, section 2, line 16, after "language" and before "who" strike "or" and insert "and"

On page 1, section 2, line 22, after "state" and before "or" insert ", at grand jury hearings or hearings before an inquiry judge,"

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2282 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2282, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Metcalf—2.

ENGROSSED SENATE BILL NO. 2282, having received the 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. 2099, by Senators Bottiger, Murray and Grant:

Authorizing a fire protection district service charge.

#### MOTION

Senator Durkan moved that Senate Bill No. 2099 be re-referred to the Committee on Ways and Means.

Debate ensued.

#### POINT OF INQUIRY

Senator Stender: "Would Senator Bottiger yield? Senator, I am quite impressed with your remarks. My information is, some of these districts lost their special levy elections and the people apparently are not as concerned as you seem to believe they are if they vote in the district that is being served against the levy and now come along and say we are going to impose something on them that they do not vote on. I just wondered if it were so that these districts that have not been able to pass their levies are now, through this vehicle, attempting to raise money without the approval of the people they serve."

Senator Bottiger: "Senator Stender, I did not want to get into a debate on the bill but I think every one of us that have studied the question of special levies realize that the people are revolting against a higher property tax. The same fire districts that are in the crunch also are in school districts that have extremely high levies. We do have fire districts in this state in the very rural areas that do not use the levies they have now because they frankly say the fire engine will not get there to save the house anyhow because it is so far away. But if you will go out and look carefully at what the people are saying, they are not saying they do not want good education for their kids or they do not want good fire protection or hospitals or libraries. They are saying, 'We do not want to pay for it in the property tax method.'"

Senator Stender: "The question is a question of money and the people under this bill would still be required to pay it and apparently if they turn down a millage and then we come around this way and this does not allow for a vote as I read it. So you are going to do the same thing that they resisted by vote by just passing a bill that would let them do it through a commissioner and a hearing."

Senator Bottiger: "Senator Stender, Senator Durkan passed a bill two years ago that prohibits them from increasing their budget more than six percent without a vote of the people. So even if this bill passed there would have to be a vote of the people in support of the increase in the budget. The vote is there."

The motion by Senator Durkan carried. Senate Bill No. 2099 was re-referred to the Committee on Ways and Means.

SENATE BILL NO. 2394, by Senators Gardner, Murray and Bottiger (by Superintendent of Public Instruction request):

Including preliminary planning costs for purposes of determining state aid for certain school plant facilities.

#### MOTION

On motion of Senator Durkan, Senate Bill No. 2394 was referred to the Committee on Ways and Means.

#### SECOND READING

SENATE BILL NO. 2179, by Senators Talley, Murray and Jolly:

Authorizing use of rental guarantee insurance in place of surety bonds in the lease of port district property.

#### REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2179, authorizing use of rental guarantee insurance in place of surety bonds in the lease of port district property (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 28, after "of" and before "property", strike "real" and insert "all lands, wharves, docks and real and personal"

In section 2, line 29, before "shall", strike "one year or more" and insert "more than one year"

Signed by Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendments were adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 2179 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Whetzel: "Would Senator Murray yield? Presently there is a restriction on leases for airport purposes where there is certain construction work involved. Apparently the amendatory language takes that out so that if the property is involved in any sort of airport purpose the lease may be made for a longer period of time. Can you explain if I interpret this correctly and if so, what the justification for that change is?"

Senator Murray: "In essence there is an exception so that there can be longer leases for airport purposes just because their commitments are so large that it is felt that it is necessary to have something in excess of the lease agreements we have on other properties."



Senator Whetzel: "I can understand that when there is construction but if it is simply a renewal of a hangar lease where the hangar has already been built, why should that be a special exception so the lease can go up to seventy-five years instead of a normal fifty years?"

Senator Murray: "My understanding is that the amount of total dollar commitments necessary are such that they would like to have a longer term commitment on that particular facility."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2179, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senators Donohue, Durkan, Walgren, Whetzel—4.

Absent or not voting: Senator Bailey—1.

Excused: Senators Dore, Metcalf—2.

ENGROSSED SENATE BILL NO. 2179, having received the 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. 2213, by Senators Day, Bottiger and Stender:  
Implementing the law relating to the practice of registered nurses.

#### REPORT OF STANDING COMMITTEE

February 9, 1973.

SENATE BILL NO. 2213, implementing the law relating to the practice of registered nurses (reported by Committee on Social and Health Services):

Recommendation: Do pass with the following amendments:

On page 3, section 3, subsection (3), line 29, after "practice" and before the period insert ": PROVIDED, HOWEVER, That nothing herein shall affect the authority of any hospital, hospital district, medical clinic or office, concerning its administration and supervision"

On page 4, section 3, line 2, after "state" and before the period insert "or specifically authorized by any other law of the state of Washington"

On page 18, section 27, line 2, after "hospitals" and before "or elsewhere" insert "nursing homes"

On page 18, section 27, line 18, after "duties" and before the period insert ";

(8) permitting the measurement of the powers or range of human vision, or the determination of the accommodation and refractive state of the human eye or the scope of its functions in general, or the fitting or adaptation of lenses or frames for the aid thereof;

(9) permitting the prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics;

(10) permitting the prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye;

(11) prohibiting the performance of routine visual screening;

(12) permitting the practice of dentistry or dental hygiene as defined in chapter 18.32 and 18.29 RCW respectively;

(13) permitting the practice of chiropractic as defined in chapter 18.25 RCW including the adjustment or manipulation of the articulations of the spine;

(14) permitting the practice of chiropody as defined in chapter 18.22 RCW;

(15) *permitting the performance of major surgery, except such minor surgery as the board may have specifically authorized by rule or regulation duly adopted in accordance with the provisions of chapter 34.04 RCW;*

(16) *permitting the prescribing of controlled substances as defined in schedules I through IV of the Uniform Controlled Substances Act, chapter 69.50 RCW"*

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Greive, Herr, Jones, Keefe, Murray, Twigg, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 2, section 1, line 23, after "to the" insert "individual"

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 2213 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2213, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Lewis (Harry)—1.

Excused: Senators Dore, Metcalf—2.

ENGROSSED SENATE BILL NO. 2213, having received the 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. 2278, by Senators Durkan, Dore and Lewis (Harry):  
Restricting use of abstracts of driving experience for insurance purposes.

#### REPORT OF STANDING COMMITTEE

January 31, 1973.

SENATE BILL NO. 2278, restricting use of abstracts of driving experience for insurance purposes (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 17, after "vehicles" and before "use" insert "shall"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 2278 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Clarke yield? Senator Clarke, do I gather from your comments that if this bill passes we will require less information about someone who hauls

children than we are going to require information about someone who hauls cargo? Would that be the practical effect?"

Senator Clarke: "The practical effect well could be, in that connection, although this bill relates both to cargo and to school busses. I am not raising any particular point with respect to the cargo but I am saying that any information that would lead people to reasonably evaluate the probability of accidents in connection with school busses is not something that should be prohibited and made a criminal act to use."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2278, and the bill passed the Senate by the following vote: Yeas, 27; nays, 19; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Marsh, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Stender, Stortini, Van Hollebeke, Walgren, Woody—27.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Bob), Mardesich, Matson, Murray, Peterson (Ted), Sandison, Scott, Sellar, Talley, Twigg, Wanamaker, Washington, Whetzel, Woodall—19.

Absent or not voting: Senator Lewis (Harry)—1.

Excused: Senators Dore, Metcalf—2.

ENGROSSED SENATE BILL NO. 2278, having received the 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. 2342, by Senators Gardner, Peterson (Ted) and Odegaard:

Authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms.

#### REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2342, authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, following line 26, add new subsections as follows:

"(3) Any non-profit meal program established pursuant to this act may not be operated so as to interfere with the normal educational process within the schools.

(4) No school district funds may be used for the operation of such a meal program.

(5) For purposes of this act, "elderly persons" shall mean persons who are at least sixty years of age."

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray.

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendment was adopted.

On motion of Senator Gardner, the rules were suspended, Engrossed Senate Bill No. 2342 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Durkan: "Would Senator Gardner yield? Senator Gardner, how are the funds provided and what is the definition of an elderly person? Does it make any difference as to level of income or as I read it you have just an age definition? Are public funds going to be used or all private funds?"

Senator Gardner: "There was a lot of discussion over the matter of who should be

trying to define 'elderly' and the people who spoke before the committee strongly urged that we try not to define it for a number of obvious purposes so we did decide in the end to put the age limit on it but not go into social or economic factors, Senator Durkan.

"As far as how the finances of this plan would work, it is simply this, Senator Durkan. If you and I wanted to provide for elderly a meal program and were willing to raise the funds we would then raise those funds and go to the school and provide them with the check from which they could then buy the merchandise."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gardner yield to further question? Senator Gardner, being only thirty-nine and not quite up to the meal limit yet, as some Senators are here, is it the intent of this bill that we be allowed to go in and socialize with the students at lunch period so that we can get over our loneliness? Or would the meal be specified outside of the time that they are regularly serving meals in the school cafeterias?"

Senator Gardner: "Senator Rasmussen, if you will check on the second page of the bill in your bill book you will see that item number three in the amendment tab pretty basically answers the question which you asked."

Senator Rasmussen: "Would we be allowed to socialize with the children?"

Senator Gardner: "You would be. The purpose of the program, Senator Rasmussen, is so it will not interfere with the normal school process. Now if the school administrators decide for one reason or another it is healthy with regard to that particular instance to have the students and the elderly mix they can so do so but we did not want to impose upon them a program which would, in their opinion, interfere with their programs they would have to accept. So it is optional."

Senator Rasmussen: "Is it the intent of your legislation that any group would be able to provide three meals a day in the school facilities?"

Senator Gardner: "Not necessarily three meals, Senator Rasmussen. Maybe just one a day, maybe just one a week."

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Gardner yield? Senator Gardner, in the Senate amendment 'No school district funds may be used for the operation of such a meal program,' do I understand that to mean and is it the intent of the amendment that state funds appropriated to the common schools or to the Superintendent of Public Instruction shall not be used for the purposes of this act?"

Senator Gardner: "That is correct, Senator Lewis."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Gardner yield further? Under this same subsection, what would you include under school district funds? Are you including overhead? Are you including the supervisory costs or just the cost of the meals or what? Now when you appropriate school district funds, it covers all these things and are you just going to charge for the cost of the food or are you going to also include the cost of service and the overhead which you do not charge to the kids?"

Senator Gardner: "Senator Canfield, the intent here is that cash, school cash, shall not be used. Now there is a certain factor of overhead in operating any facility. If the heat is already on and your custodial service is already there and in the opinion of the school administrators this does not add to that burden, then you could make a technical argument that perhaps there is some use of school funds here but basically, no. The intent here is that school dollars appropriated, cash on hand, shall not be used to go out and make advance payments for this type of project."

Senator Canfield: "Would the elderly persons then be charged more than the students to take care of the overhead and the supervisory cost?"

Senator Gardner: "No."

Senator Canfield: "They would be charged just the same?"

Senator Gardner: "Just the same."

Senator Canfield: "Then you would be using appropriated funds for . . ."

Senator Gardner: "Senator Canfield, there are two ways to look at this problem. One, if you already have the facility in use and the heat is on and the people on site and there is a down period in the process, what is to say that we should not come in and make constructive use of those facilities and that heat that is already in existence? Technically you are correct."

Senator Canfield: "One more minor question. In the case of children you generally have a pretty good idea of how many are going to be there and how many you will prepare meals for and how do you know how many of the elderly are going to drop in for these meals?"

Senator Gardner: "Senator Canfield, that was one of the reasons I insisted as chairman of the committee that heard this bill that provision number four be placed into the bill which calls for no use of school funds. My intent with regard to how this legislation would work would be that a group representing the elderly would come and ask to use the school facilities and they would provide the funds which would be used to buy the food that would feed the people that attended. And therefore it is their responsibility to see, in effect, that the attendance is there to use the food that was purchased."

Senator Canfield: "I am concerned about one more thing, Senator Gardner. These lonely sixty-year old people who go there, are the local food merchandisers concerned about this bill or would there be so few it would not be of any importance?"

Senator Gardner: "The question was raised in the committee and while there was no one there to speak against it, the matter was discussed reasonably thoroughly and there were some of us in attendance who are in the area of wholesale buying of food. The feeling was basically, Senator Canfield, that this would not be a situation which will compete with local purveyors or restaurant owners or food service operations."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Gardner further yield? As I now understand it, anyone over sixty, regardless of their economic status, they could come in for one of these meals. Is that correct?"

Senator Gardner: "That is correct, Senator Woodall."

Further debate ensued.

#### POINT OF INQUIRY

Senator Stender: "Would Senator Peterson yield? Senator, you stated that in Seattle there was a pilot program. Are you acquainted with how that operates?"

Senator Peterson (Ted): "Yes, I am."

Senator Stender: "In Seattle now . . ."

Senator Peterson (Ted): "Senator, this is not in the school. This is in the school program. The one that I referred to was a church program and it is called the Columbia Club through the Methodist Church."

Senator Stender: "It is not a school sponsored . . .?"

Senator Peterson (Ted): "That is right. It is not school sponsored."

#### MOTION

At 12:02 p.m., on motion of Senator Mardesich, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

## MOTION

On motion of Senator Matson, Senator Twigg was excused.

## THIRD READING

SENATE BILL NO. 2342, by Senators Gardner, Peterson (Ted) and Odegaard:  
Authorizing the establishment of nonprofit meal programs for feeding elderly persons  
in school lunchrooms.

The Senate resumed consideration of Senate Bill No. 2342 on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2342, and the bill passed the Senate by the following vote: Yeas, 34; nays, 4; absent or not voting, 9; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—34.

Voting nay: Senators Clarke, Guess, Jones, Newschwander—4.

Absent or not voting: Senators Connor, Durkan, Henry, Herr, Lewis (Harry), Peterson (Ted), Rasmussen, Scott, Woodall—9.

Excused: Senators Dore, Twigg—2.

ENGROSSED SENATE BILL NO. 2342, having received the 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

At 1:10 p.m., on motion of Senator Mardesich, the Senate recessed until 7:00 p.m.

## EVENING SESSION

The President called the Senate to order at 7:00 p.m.

## PRESIDENT'S PRIVILEGE

The President: "Esteemed members of the Senate, ladies and gentlemen, to quote the famous bard and philosopher, the Honorable Perry B. Woodall, your presence here this evening requires agility, ability, stability and no senility."

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 13, 1973.

SENATE BILL NO. 2026, requiring two precinct committeemen in precincts with five hundred or more voters (reported by Committee on Constitution and Elections):

MAJORITY recommendation: That Substitute Senate Bill No. 2026 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2111, implementing law relating to credit unions (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as previously amended by the Senate.  
Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.  
Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2143, providing that voters at the county level may use initiative and referendum to put matters on the ballot (reported by Committee on Constitution and Elections):

Recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2293, enlarging scope for investments under the Refunding Bond Act (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2346, limiting property tax levies (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Sandison, Scott.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2358, permitting public employees' retirement system contributions for classified employees working on nine-month basis as if they were working twelve months (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2498, relating to the instruction of precinct officers (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2500, authorizing precinct committeemen to register voters (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2510, authorizing investment in certain securities guaranteed by the Asian development bank (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.  
Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2515, authorizing the investment of trust funds in certain policies of life insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.  
Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2568, authorizing second class school districts to draw and issue their own warrants (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Odegaard, Peterson (Ted).  
Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2571, increasing the loan limits of member institutions of industrial development corporations (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.  
Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE CONCURRENT RESOLUTION NO. 111, providing for review of institutional education programs and parental input into their contents (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Odegaard, Peterson (Ted).  
Passed to Committee on Rules for second reading.

#### SECOND READING

SENATE BILL NO. 2248, by Senators Woody, Atwood and Bottiger:  
Establishing certification procedures for court reporters.

The bill was read the second time by sections.

On motion of Senator Woody, the following amendment was adopted:

On page 4, section 5, line 2, after "holds" and before "equivalent" strike "and" and insert "an"

On motion of Senator Mardesich, the following amendment was adopted:

On page 5, section 9, line 30 after "(3)" strike "Gross incompetency" and insert "Incompetency"

On motion of Senator Woody, the following amendment to the title was adopted:

On page 1, line 3 of the title, after "2.32.180;" and before "and" insert "prescribing penalties;"

On motion of Senator Woody, the rules were suspended, Engrossed Senate Bill No. 2248 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

On motion of Senator Knoblauch, Senators Durkan and Sandison were excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2248, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; excused, 3.



Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Lewis (Harry)—1.

Excused: Senators Dore, Durkan, Sandison—3.

ENGROSSED SENATE BILL NO. 2248, having received the 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 Senator Gardner, Senate Bill No. 2196 was ordered placed at the end of the second reading calendar for today.

#### SECOND READING

SENATE BILL NO. 2084, by Senators Henry, Francis and Twigg:

Allowing judges retirement credit for pro tempore services.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2084 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Senator Woody, after this judge works as a pro tem for a year or so to qualify, what would his retirement benefits be per year?"

Senator Woody: "I am sorry, I do not know. I am sure that Senator Greive knows."

Senator Greive: "I wish I did know for sure. It is my understanding that he has to wait until he reaches retirement age, which I understand in his case is some twenty years away and at that time he would receive fifty percent which is what the judges' retirement provides. Maybe somebody has got it better than I have. Twelve-eighteenths is what they said he would receive."

Senator Woodall: "To answer the question specifically, when he reaches retirement age of sixty, if he quits practicing law at that time, which he would have to do, he would then get twelve-eighteenths of fifty percent of the salary of a superior court judge. That is the specific answer."

#### POINT OF INQUIRY

Senator Washington: "Would Senator Woodall yield? Would not this legislation also apply if somebody else were in the same situation where a judge were defeated and then went through the same procedure and for a number of times was appointed a judge pro tem?"

Senator Woodall: "If someone had served a total of ten years and then was defeated and if he could find enough attorneys who would accept him in counties where there was a need and where the then presiding superior court expressed a need and he was accepted enough times it could apply to someone else. You are correct."

Senator Washington: "Now, one other point, Senator Woodall. How are you going to determine the amount of salary that he receives each year to determine whether or not he has worked enough as a judge in order to make sure that he just does not sit on one or two cases a year and gets his retirement on that basis?"

Senator Woodall: "As I understand the bill, he has to put enough judicial days in as a trial judge to complete the amount of days that he is short. I understand in this case he is short some thirty to forty-five days."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2084, and the bill passed the Senate by the following vote: Yeas, 25; nays, 20; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Marsh, Matson, Odegaard, Peterson (Lowell), Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Woodall, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Fleming, Guess, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Wanamaker, Washington, Whetzel—20.

Absent or not voting: Senator Rasmussen—1.

Excused: Senators Dore, Durkan, Sandison—3.

SENATE BILL NO. 2084, having received the 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. 2125, by Senators Talley, Odegaard and Woodall (by Legislative Council request):

Setting standards for granting furloughs to prisoners.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Senate Bill No. 2125 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2125, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Atwood—1.

Excused: Senators Dore, Sandison—2.

SENATE BILL NO. 2125, having received the 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. 2175, by Senators Marsh, Day and Jones:

Providing housing authority with certain additional powers to deal with the developmentally disabled, etc.

#### MOTION

On motion of Senator Day, Substitute Senate Bill No. 2175 was substituted for Senate Bill No. 2175 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Whetzel, the following amendment was adopted:

On page 2, section 2, line 24, strike the period and insert:

“: PROVIDED, That notwithstanding any other provision of law or statute to the contrary, in the acquisition, construction, or operation of housing projects including group homes and halfway houses an authority shall be subject to the same procedures, and in the same manner and to the same effect as provided for any other person or corporation with regard to planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the housing project is situated.”

On motion of Senator Marsh, the rules were suspended, Engrossed Substitute Senate Bill No. 2175 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2175, and the bill failed to pass the Senate by the following vote: Yeas, 16; nays, 31; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Connor, Fleming, Francis, Greive, Herr, Jolly, Jones, Lewis (Harry), Murray, Peterson (Lowell), Stender, Talley, Washington, Whetzel—16.

Voting nay: Senators Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Gardner, Grant, Guess, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—31.

Absent or not voting: Senator Henry—1.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2175, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Marsh served notice that he would, on the next working day, move that the Senate reconsider the vote by which Engrossed Substitute Senate Bill No. 2175 failed to pass the Senate.

#### SECOND READING

SENATE BILL NO. 2187, by Senators Grant, Gardner, Woody and Rasmussen:

Prohibiting the use of lie detector tests as a condition of employment or continued employment.

#### REPORT OF STANDING COMMITTEE

February 5, 1973.

SENATE BILL NO. 2187, prohibiting the use of lie detector tests as a condition of employment or continued employment (reported by Committee on Labor):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 14, after “security]” and before the “period” insert “: PROVIDED, That this section shall not apply to persons making initial application for employment with any law enforcement agency: AND PROVIDED FURTHER, That this section shall not apply to either the initial application for employment or continued employment of persons who dispense controlled substances as defined in Ch. 69.50 RCW, or to persons in sensitive positions directly involving national security.”

Signed by: Senators Connor, Chairman; Grant, Matson, Ridder, Stender.

The bill was read the second time by sections.

Senator Grant moved adoption of the committee amendment.

Senator Mardesich moved adoption of the following amendment to the committee amendment:

Amend the committee amendment by adding the following after "security" on the last line of the amendment: "*, or to persons in the field of public law enforcement who are seeking promotion to a rank of captain or higher*"

Debate ensued.

The motion by Senator Mardesich carried on a rising vote and the amendment to the committee amendment was adopted.

The President declared the question before the Senate to be adoption of the committee amendment as amended.

#### POINT OF INQUIRY

Senator Fleming: "Will Senator Grant yield to a question? Senator Grant, I missed some of the testimony in the committee and I was wondering, was there any indication as to a tremendous amount of harassment in some areas of the police department throughout the state after someone was on the payroll and employed by these departments?"

Senator Grant: "I did not hear all the testimony either, Senator Fleming. I think it was testified that there were twenty-six cases in King County Public Safety Department in which the lie detector test was used over a year's period. I do not know how many in the city of Seattle. As far as harassment through that procedure, I do not know that there was any testimony as to actual harassment. However, the potential for harassment exists and that is the reason for this bill."

The committee amendment, as amended, was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2187 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2187, and the bill passed the Senate by the following vote: Yeas, 37; nays, 11; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—37.

Voting nay: Senators Bottiger, Clarke, Fleming, Guess, Matson, Metcalf, Murray, Sellar, Twigg, Whetzel, Woodall—11.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2187, having received the 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 Senator Francis, the Committee on Social and Health Services was relieved of further consideration of Senate Bills Nos. 2126 and 2295.

Senator Francis moved that Senate Bills Nos. 2126 and 2295 be re-referred to the Judiciary Committee.

Debate ensued.

The motion by Senator Francis carried. Senate Bills Nos. 2126 and 2295 were re-referred to the Judiciary Committee.

#### MOTION

At 8:30 p.m., on motion of Senator Mardesich, the Senate adjourned until Wednesday, February 14, 1973.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-EIGHTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 14, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Dore and Whetzel. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages John Livingston and Janet Kinsman, presented the Colors. Reverend Glen C. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

"OUR GREAT GOD AND HEAVENLY FATHER, WE THANK YOU FOR THE PRIVILEGE OF TALKING WITH YOU THIS MORNING. WE WANT TO AVAIL OURSELVES TO YOUR MERCY, YOUR WISDOM, AND TO YOUR POWER TODAY. WE KNOW NOT HOW TO GO OUT OR TO COME IN, BUT OUR EYES ARE UPON YOU THIS HOUR. WE AFFIRM IN PRAYER WHAT PAUL SAID IN WRITING TO THE PHILIPPIANS, 'I CAN DO ALL THINGS THROUGH CHRIST WHO IS STRENGTHENING ME.' THIS VERSE TELLS US THAT YOU DO NOT SIT IN YOUR LOFTY PLACE DREAMING UP FAILING SITUATIONS FOR US. WE BELIEVE IT SAYS, 'BE SUCCESSFUL! I WILL GIVE YOU THE STRENGTH TO DO SOMETHING GREAT.' WE THANK YOU, LORD, FOR THE POSITIVENESS OF THE GOSPEL. JUST AS YOU WERE NOT INTERESTED IN USING THE PEOPLE TO BUILD A GREAT GOSPEL, BUT RATHER IN USING THE GOSPEL TO BUILD A GREAT PEOPLE; IN OUR HEARTS TODAY IS THE DESIRE, NOT TO USE PEOPLE TO BUILD A GREAT GOVERNMENT, BUT TO USE THE GOVERNMENT TO BUILD A GREAT PEOPLE! SO, WE ASK YOU, HEAVENLY FATHER, TO USE OUR MINDS, USE THE VARIOUS PERSONALITIES ASSEMBLED HERE. TOUCH THE SPIRIT OF US ALL THAT YOUR WILL MAY BE DONE ON EARTH AS IT IS IN HEAVEN.

"WE WOULD ALSO TAKE THIS OPPORTUNITY TO PRAY FOR SENATOR DORE IN THE HOSPITAL IN SEATTLE. WE ASK YOU, DEAR FATHER, TO TOUCH HIM TODAY, RESTORE HIM TO HEALTH AND TO STRENGTH AND TO HIS RESPONSIBILITIES HERE IN THIS LEGISLATIVE BODY. THANK YOU FOR DOING IT. WE ASK ALL OF THESE THINGS IN THE NAME OF YOUR SON AND OUR SAVIOR, THE LORD JESUS CHRIST. AMEN!"

## MOTIONS

On motion of Senator Woodall, a copy of the prayer was ordered sent to Senator Fred Dore who is ill in a Seattle hospital.

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 14, 1973.

SENATE BILL NO. 2009, providing for an advisory council on science and technology and defining its functions (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended by the Committee on Ecology.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Murray, Twigg, Woodall, Woody.

## MOTION

On motion of Senator Canfield, Senate Bill No. 2009 was referred to the Committee on Ways and Means.

February 6, 1973.

SENATE BILL NO. 2085, bringing Washington traffic laws into conformity with those of other states (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2085 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Sellar, Talley, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2110, changing arbitrators' fees in health care services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Greive, Herr, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 12, 1973.

SENATE BILL NO. 2113, establishing a state hospital commission to study hospital costs and approve hospital rates (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Substitute Senate Bill No. 2113 be substituted therefor and the substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Keefe, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2147, amending law relating to controlled substances (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Herr, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2275, changing the effective date of the Uniform Alcoholism and Intoxication Act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2435, implementing the Uniform Alcoholism and Intoxication Treatment Act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended and that the bill be referred to the Committee on Ways and Means.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Keefe, Murray, Woodall, Woody.

#### MOTION

On motion of Senator Day, Senate Bill No. 2435 was referred to the Committee on Ways and Means.

February 13, 1973.

SENATE BILL NO. 2440, implementing the laws of transportation (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Sellar, Talley, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2443, permitting justices of the supreme court and judges of the court of appeals to participate in state health care insurance coverage (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2480, relating to reforestation lands, disposition of proceeds (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2508, permitting disposition of certain property to the federal government (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2528, permitting a health care service subscriber ten days to reject a health care services contract (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2532, changing rate of public utility tax imposed upon storage warehouse businesses (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Sellar, Talley, Wanamaker.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2577, prohibiting discrimination against legally recognized and licensed practitioners of health care (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2592, prohibiting certain discrimination against licensed optometrists (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2594, placing health care services under laws applicable to other insurance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2611, providing for human resource planning and services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Francis, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2647, providing for the creation of a special investigative and referral unit in the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Keefe, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE JOINT MEMORIAL NO. 114, memorializing Congress to provide for quality health care services on a national basis (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Keefe, Woodall, Woody.

Passed to Committee on Rules for second reading.



## MESSAGES FROM THE HOUSE

February 13, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2055, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 13, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 21, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 13, 1973.

Mr. President: The House has passed:  
 ENGROSSED HOUSE BILL NO. 86,  
 HOUSE BILL NO. 128,  
 ENGROSSED HOUSE BILL NO. 150,  
 HOUSE BILL NO. 164,  
 HOUSE BILL NO. 165,  
 HOUSE BILL NO. 198,  
 HOUSE BILL NO. 263,  
 HOUSE BILL NO. 364,  
 ENGROSSED HOUSE BILL NO. 417, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 13, 1973.

Mr. President: The House has passed:  
 SENATE BILL NO. 2079,

ENGROSSED SENATE BILL NO. 2089, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## EXTENSION REQUESTED

Senator Rasmussen asked that the Committee on State Government be given an additional two weeks for consideration of Senate Resolution 1973-15.

## MOTION

Senator Durkan moved that the following Senate Bills be re-referred to the Senate Committee on Ways and Means: 2183, 2004, 2066 and 2140.

## POINT OF INQUIRY

Senator Talley: "Would Senator Durkan yield please? Will this journeyman electrician bill produce revenue, Senator?"

Senator Durkan: "That is the claim of the proponents, Senator. Incidentally, I am for the bill, but I think just because I am for it is no reason why it should stay on the Senate floor if it has a fiscal impact. I think that all bills with fiscal impact have been put into Ways and Means Committee. I intend to then hold a hearing on all the substantive matter bills with a fiscal impact and let the committee vote on them. I feel as chairman of the Senate Ways and Means Committee I have the responsibility to bring it to their attention."

## MOTION

Senator Day moved that the motion by Senator Durkan be divided.

Debate ensued.

The motion by Senator Day carried.

The motion by Senator Durkan to re-refer Senate Bill No. 2183 to the Senate Committee on Ways and Means carried.

The motion by Senator Durkan to re-refer Senate Bill No. 2004 to the Senate Committee on Ways and Means carried.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Greive served notice that he would move for reconsideration of the vote by which Senate Bill No. 2183 was re-referred to the Committee on Ways and Means.

President Pro Tempore Henry declared the question before the Senate to be the motion of Senator Durkan that Senate Bill No. 2066 be re-referred to the Senate Committee on Ways and Means.

Debate ensued.

#### MOTION

Senator Greive moved that the Senate recess for the purpose of a Democratic Caucus. The motion lost on a rising vote.

#### APPOINTMENT OF SPECIAL COMMITTEE

President Pro Tempore Henry announced the presence within the bar of the Senate of Miss Washington, and appointed a special committee consisting of Senators Grant, Stender, Mardesich and Lewis (Harry) to escort Becky Posey, Miss Washington, to a place of honor upon the rostrum. With leave of the Senate, business was suspended to permit the honored guest to address the Senate.

The special committee escorted Miss Washington from the bar of the Senate.

#### MOTION

At 10:00 a.m., on motion of Senator Bailey, the Senate recessed until 11:00 a.m.

#### SECOND MORNING SESSION

The Senate was called to order at 11:00 a.m. by President Pro Tempore Henry.

#### MOTIONS

On motion of Senator Durkan, the Senate Committee on Ways and Means was relieved of further consideration of Senate Bill No. 2004.

On motion of Senator Durkan, Senate Bill No. 2004 was placed on second reading.

On motion of Senator Durkan, the motion to re-refer Senate Bills Nos. 2066 and 2140 to the Senate Committee on Ways and Means was withdrawn.

#### MOTION FOR RECONSIDERATION

Senator Greive, having voted on the prevailing side and having given prior notice, Senator Durkan moved that the Senate do now reconsider the vote by which Senate Bill No. 2183 was re-referred to the Senate Committee on Ways and Means.

The motion carried.

On motion of Senator Durkan, the following Senate Bills were placed on second reading and held for consideration on Thursday, February 15, 1973: 2183, 2004, 2066 and 2140.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 115, by Senators Grant, Mardesich and Washington:

Creating a special advisory committee to study problems relating to the use of voting devices and vote tallying machines.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 86, by Representatives Shinpoch, Gallagher, Randall, Bagnariol, Polk, Chatalas, Kopet and Curtis (by Legislative Budget Committee request):

Implementing law relating to public records and their retention, protection, disposal or reproduction.

Referred to Committee on State Government.

HOUSE BILL NO. 128, by Representatives Sommers and Kraebel:

Raising filing fees for registration of land titles.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 150, by Representatives Haussler, Smythe, Kalich and May:

Raising mileage allowance for county officers.

Referred to Committee on Local Government.

HOUSE BILL NO. 164, by Representatives Conner and Kuehnle:

Deleting county auditors' duty to compare tax records with county treasurer.

Referred to Committee on Local Government.

HOUSE BILL NO. 165, by Representatives Kopet and Randall:

Repealing county treasurers' reports.

Referred to Committee on Local Government.

HOUSE BILL NO. 198, by Representatives Chatalas, Curtis and Adams (by Department of Social and Health Services request):

Extending the crediting of adoption fees to the adoption support account to the 1973-75 biennium and allowing the secretary of the department of social and health services to file his report in 1975.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 263, by Representatives Julin, Charette, Haussler, Polk, Hayner and Eikenberry:

Setting the period within which claimants may file suit against a county.

Referred to Judiciary Committee.

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 417, by Representative Thompson (by Attorney General's request):

Providing for notice to the attorney general in court actions concerning water.

Referred to Committee on Ecology.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2079,

SENATE BILL NO. 2089,  
HOUSE CONCURRENT RESOLUTION NO. 21.

### SECOND READING

HOUSE BILL NO. 195, by Representatives Perry, Pardini and Williams (by State Finance Committee request):

Providing for the issuance of general obligation bonds under the supervision of the state finance committee for certain building purposes.

The bill was read the second time by sections.

On motion of Senator Mardesich, the rules were suspended, House Bill No. 195 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 195, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Absent or not voting: Senator Whetzel—1.

Excused: Senator Dore—1.

HOUSE BILL NO. 195, having received the 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 Senator Rasmussen, House Bill No. 195 was ordered immediately transmitted to the House.

### MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Marsh moved that the Senate do now reconsider the vote by which Engrossed Substitute Senate Bill No. 2175 failed to pass the Senate.

The motion carried.

### MOTION

On motion of Senator Marsh, Engrossed Substitute Senate Bill No. 2175 was referred to the Committee on Social and Health Services.

There being no objection, the Senate returned to the sixth order of business.

### SECOND READING

SENATE BILL NO. 2362, by Senators Talley, Connor and Canfield:

Providing that sewer and water districts may provide life insurance for their employees.

### MOTION

On motion of Senator Talley, Substitute Senate Bill No. 2362 was substituted for

Senate Bill No. 2362, the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Jolly, the rules were suspended, Substitute Senate Bill No. 2362 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2362, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Absent or not voting: Senator Whetzel—1.

Excused: Senator Dore—1.

SUBSTITUTE SENATE BILL NO. 2362, having received the 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. 2287, by Senators Bottiger, Stortini, Fleming and Ridder (by Joint Committee on Education request):

Implementing law relating to school district organization.

#### REPORT OF STANDING COMMITTEE

February 10, 1973.

SENATE BILL NO. 2287, implementing law relating to school district organization (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 19, after "by" and before the comma on line 20, strike "the members of the school board and approved by the county committee on school district organization" and insert "a qualified demographer commissioned by the superintendent of public instruction"

On page 1, section 1, line 23, after "district" and before the period, insert "without regard to its political characteristics or the residence of incumbent directors"

On page 1, section 1, beginning on line 24, strike "the school board and approved by the county committee" and replace with "a qualified demographer commissioned by the superintendent of public instruction"

On page 1, section 1, line 25, after "thereof" and before "to" beginning on line 26, insert ", in the judgment of the superintendent of public instruction,"

On page 2, section 1, line 2, after "district" and before the period, insert "except as provided for in section 2 of this amendatory act"

On page 2, section 2, line 24, after "Within" strike the remainder of the entire section and insert "ninety days after the effective date of this 1973 amendatory act, the superintendent of public instruction shall notify the school boards of school districts, other than school districts of the first class having an enrollment of seventy thousand pupils or more in Class AA counties, having had an enrollment of one thousand or more pupils for any past three consecutive years, of their director district boundaries as established pursuant to section 1 of this 1973 amendatory act. Whenever such district is divided into director districts or director districts are adjusted and notice provided by the superintendent of public instruction, the incumbent directors thereof shall continue to serve for the terms for

which they were elected and if two or more such directors reside in the same director district, the school board of directors shall determine which one of the directors shall be assigned to that director district and which director(s) shall be assigned to a director district(s) without a resident director. Directors assigned to director districts in which they are not residents shall serve until their current terms expire at which time successors shall be elected as provided by this 1973 amendatory act to serve terms as provided by law."

On page 5, after section 8, add a new section as follows:

"*NEW SECTION.* Sec. 9. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 8 of the title after "sections" and before the period insert "; and declaring an emergency"

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Odegaard.

The bill was read the second time by sections.

Senator Gardner moved adoption of the committee amendment to page 1, section 1, line 19.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Gardner yield to a question? Senator Gardner, there are several of us over on this side questioning this bill and its effect on districts other than Tacoma. Can you describe to me what school districts in the state would be affected? Specifically, am I correct that any district with over a thousand students would be affected?"

Senator Gardner: "Senator Lewis, Senator Bottiger has the report in front of him and he can answer that specifically if you will allow me to defer to him."

Senator Bottiger: "Senator Lewis, it is true that every school district over a thousand would be affected. However, I think every school district in the state is affected by the one man one vote proposition. So when we are talking about a portion of this bill, you have to understand that the theory of one man one vote would affect many school districts boundary sizes and population scope."

The motion by Senator Gardner carried and the committee amendment to page 1, section 1, line 19 was adopted.

On motion of Senator Bottiger, the committee amendments to page 1, section 1, lines 23, 24 and 25 and the committee amendment to page 2, section 1, line 2 were adopted.

Senator Bottiger moved adoption of the committee amendment to page 2, section 2, line 24.

#### POINT OF INQUIRY

Senator Guess: "Would Senator Bottiger yield? Senator Bottiger, does this restrict those class AA counties with seventy-thousand people or more? What is the relation there?"

Senator Bottiger: "It exempts out the Seattle school board and the purpose of that language that I think you are directing your attention to is to not affect the Seattle school district."

Senator Guess: "Thank you."

The motion by Senator Bottiger carried and the committee amendment to page 2, section 2, line 24, was adopted.

Senator Bottiger moved adoption of the committee amendment to page 5, after section 8 adding a new section.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Bottiger yield? Senator Bottiger, does this bill affect all first class school districts?"

Senator Bottiger: "I think it affects second class school districts too."

Senator Atwood: "You are asking that this bill go into effect immediately. Can the demographer do all these districts? There are over a hundred of them, aren't there?"

Senator Bottiger: "Yes, there are but I think you have to look at the report to see whether there will be a change. Many of the second class school districts already have this provision and for others there will be no change in their existing pattern. There is still another group that have already redistricted, as for example the district I am from. They have already complied with the one man one vote. So they are exempted. Having worked on the redistricting of the legislature with all of its problems, I can tell you that if you will turn the demographer loose and tell him to forget where people live and what the political complexities are, it is just not that difficult a job."

Senator Atwood: "How many districts would have to comply if this goes into effect immediately?"

Senator Bottiger: "I do not know."

Senator Atwood: "I think we should know that. Are there fifty, a hundred or what?"

Senator Bottiger: "I will know. After the motion to set over I will be able to tell you next time we consider the bill."

#### MOTION

Senator Bottiger moved that Senate Bill No. 2287, the adopted committee amendments, and the pending committee amendment to page 5, after section 8, adding a new section, hold its place on the second reading calendar for Thursday, February 15, 1973.

#### POINT OF INQUIRY

Senator Bailey: "Mr. President, I object until I ask a question which I think he might be able to answer without holding it over. Senator Bottiger, when you say you have to hire a demographer, are you confining it to the point that if the school board itself can divide these districts up equally that they are going to be held up until they can find somebody that qualifies for this map twisting job or do you really mean that they have the power to hire a demographer if they wish but that if they can do the job themselves there is nothing to keep them from doing it? The question is one I want you to look into while you are looking at the other matter. The question is, if we are going to confine it just to a demographer that qualifies under this title, are we hamstringing these boards so they cannot get their own job done right away?"

Senator Bottiger: "Well, Senator Bailey, demographers are not that scarce. A demographer is a geographer who is conditioned to economic, social, ethnic things and there are plenty of them. I think the Senate recommended five or six and the House Democratic Caucus recommended several. We did not have any shortage of them I can assure you. The job is just not that difficult if all you are talking about is population. The census tracts are laid out. You take the population of the district divided into five and then just start plotting. Now there are several people down here that can do this job very easily. I think that Senator Greive and I could probably get qualified as demographers after our experiences."

The motion by Senator Bottiger carried. Senate Bill No. 2287, together with the adopted committee amendments and the pending committee amendment, was ordered to hold its place on the second reading calendar for Thursday, February 15, 1973.

#### MOTION

On motion of Senator Grant, Senate Bill No. 2350 was ordered to hold its place on the second reading calendar for Thursday, February 15, 1973.

#### SECOND READING

SENATE BILL NO. 2251, by Senators Francis, Bottiger and Clarke (by Secretary of State request):

Setting requirements for corporate names for miscellaneous and mutual corporations.

## REPORT OF STANDING COMMITTEE

February 3, 1973.

SENATE BILL NO. 2251, setting requirements for corporate names for miscellaneous and mutual corporations (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 17, after "(4)" strike "*Shall*" and insert: "*The name of any corporation formed under this section after the effective date of this amendatory act shall*"

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Francis yield to a question? Senator Francis, in your committee there was a proposal that they require nonprofit corporations to the Secretary of State to send notice back to the local area. Was that incorporated in this bill?"

Senator Francis: "No, it is not, Senator Rasmussen. We have several other Secretary of State request bills, however, and each one of them only contains a small part. I believe we do still have that bill pending."

Senator Rasmussen: "Can you incorporate that in some future bill or should we get the House to put it on this one?"

Senator Francis: "No, it is in another bill and we will be moving it but it is a separate item and could not be covered under the same title as this one."

Senator Rasmussen: "Thank you, Senator Francis."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2251, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odogaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Absent or not voting: Senator Whetzel—1.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2415, by Senators Washington, Bailey and Wanamaker:  
Defining "ground waters".

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 2415 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.



## POINT OF INQUIRY

Senator Woodall: "Senator Washington, will this in any way affect my area? Several people irrigate out of wells. Will this have any effect on any rights that anyone has at the present time?"

Senator Washington: "No, it affects no rights that anyone has at the present time."

## POINT OF INQUIRY

Senator Jolly: "Would Senator Washington yield to another question? As you know, Senator Washington, the ground water table in the Columbia Basin area has risen considerably due to irrigation. And the landowners that drill wells to tap this water must pay a charge to the irrigation district. Now my question is, does this bill affect this procedure any?"

Senator Washington: "No, this bill does not affect that right. As a matter of fact, irrigation districts will continue to be able to make such charges for water relating to presently drilled wells and they will continue to be able to make the charge for wells which are drilled in the future."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2415, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody--46.

Absent or not voting: Senators Stender, Whetzel--2.

Excused: Senator Dore--1.

SENATE BILL NO. 2415, having received the 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. 2324, by Senators Day, Bailey and Atwood (by Department of Personnel request):

Amending the duties of the state committee on salaries.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 2324 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2324, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody--47.

Absent or not voting: Senator Whetzel--1.

Excused: Senator Dore--1.

SENATE BILL NO. 2324, having received the 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. 2196, by Senators Gardner, Fleming, Murray, Peterson (Ted), Francis and Stortini (by Joint Committee on Education request):

Authorizing community education pilot programs and appropriating funds therefor.

#### REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2196, authorizing community education pilot programs and appropriating funds therefor (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "education" strike "pilot"

On page 1, section 1, line 12, after "supplies" and before "for" strike "or materials," and insert ", materials, or instructor costs,"

On page 1, section 1, line 18, after "schools" and before "community" strike "and" and insert ","

On page 1, section 1, line 18, after "districts" insert ", and other civic and governmental organizations,"

Beginning on page 1, line 22, strike all of Section 2.

On line 1 of the title, after "education" strike "pilot"

On line 3 of the title, after "28A.58 RCW" insert a period and strike the remainder of the title.

Signed by: Senators Gardner, Chairman; Murray, Odegaard, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendments were adopted.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 1, section 1, line 21, strike the period and insert ": PROVIDED FURTHER, That state funds appropriated to the common schools or to the superintendent of public instruction shall not be used for the purpose of this act."

On motion of Senator Gardner, the committee amendment to the title was adopted.

#### MOTION

Senator Gardner moved that the rules be suspended and Engrossed Senate Bill No. 2196 be advanced to third reading.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Francis yield? How do you protect the district from liability? Do you get waivers from these groups when they come in or does the district take out additional coverage? How is that handled?"

Senator Francis: "I have not asked. I assume they could get a waiver. I do not know of any situation where the district would be liable unless there were some inherent hazard or some latent hazard in the physical facilities and as far as I know there are not any at Lincoln High School, but I can understand your concern there."

The motion by Senator Gardner failed. Engrossed Senate Bill No. 2196 was passed to third reading.

#### MOTION

At 12:00 noon, on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, February 15, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-NINTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 15, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Day and Dore. On motion of Senator Peterson (Lowell), Senators Day and Dore were excused.

The Color Guard, consisting of Pages Damon Filan and Susan Ridder, presented the Colors. Dr. Henry S. Rahn, pastor of First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD, OUR FATHER, FOR THIS NEW DAY BRIGHT WITH HOPE AND FULL OF PROMISE, WE GIVE THEE THANKS. WE ARE GRATEFUL ALSO FOR THESE LEADERS OF STATE GOVERNMENT ASSEMBLED HERE, WHO HAVE SEEN THE NEEDS, ARE FACING THE PROBLEMS, AND HAVE ASSUMED THE BURDEN OF SOLUTION. AS THEY WORK WITH INSIGHT AND DEDICATION, GRANT TO EACH THE JOY OF ACHIEVEMENT. FOR THIS WE PRAY IN OUR MASTER’S NAME. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 14, 1973.

SENATE BILL NO. 2063, enacting the Washington criminal code (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Twigg, Woodall.

MINORITY recommendation: Do not pass.

Signed by: Senator Greive.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2185, permitting certain nationally recognized medical disability evaluation guidelines to be received into evidence in workmen’s compensation proceedings (reported by Committee on Labor):

Recommendation: That Substitute Senate Bill No. 2185 be substituted therefor and the substitute bill do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2249, making the office of sheriff nonpartisan (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Lewis (Bob), Murray, Sellar.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2329, providing for changes in the legal services revolving fund (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2347, providing for the issuing of certain bonds by sewer districts (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2396, requiring state agencies and institutions and municipal corporations to contract with fire protection district (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2424, providing new procedures for marriage and the dissolution of marriage (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan.

MINORITY recommendation: Do not pass.

Signed by: Senators Greive, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2452, authorizing cities to acquire certain unfit dwelling units (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2453, raising compensation of city councilmen in third and fourth class cities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2456, providing uniformity of definition relating to motor vehicle laws (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Rasmussen, Sellar, Talley, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2465, making changes in the laws relating to primary elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 13, 1973.

SENATE BILL NO. 2487, changing actual cost for registration lists (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2492, making certain changes in the food, drug, and cosmetic act (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2494, providing funding for convention centers (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended and refer to the Committee on Ways and Means.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Lewis (Bob), Murray, Sellar, Talley.

#### MOTION

On motion of Senator Atwood, Senate Bill No. 2494 was referred to the Committee on Ways and Means.

February 14, 1973.

SENATE BILL NO. 2516, making certain changes in laws relating to dispersal of funds (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2538, granting enforcement powers to the state personnel board and the higher education personnel board (reported by Committee on State Government):  
MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2543, enacting a state labor relations act for certain employees (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2552, authorizing continued support of the Puget Sound reserve account (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Bottiger, Jolly, Lewis (Bob), Matson, Rasmussen, Stender, Wanamaker.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2559, relating to fairground capital improvements (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2576, authorizing revenue bonds for sewer services in irrigation districts (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Day, Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

February 14, 1973.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 415, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 14, 1973.

Mr. President: The House has adopted ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

At 9:35 a.m., on motion of Senator Bailey, the Senate recessed until 10:25 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:25 a.m.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2799, by Senators Wanamaker, Bottiger, Newschwander and Knoblauch:

An Act relating to revenue and taxation; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways and Means.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2799.

ENGROSSED HOUSE BILL NO. 415, by Representatives Bauer, Hoggins, Smythe, Charette, Ehlers, May, North (Frances), Savage, Clemente, Bender, Wojahn, McCormick, Ceccarelli, Laughlin, Bausch, Moon, Zimmerman, Johnson, Lysen, Hendricks, Ellis, Hansey, Goltz, Gallagher, Chatalas, Bagnariol, Adams; Douthwaite, Matthews, Tilly and Van Dyk (by Superintendent of Public Instruction request):

Implementing the law relating to vocational education.

Referred to Committee on Education.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9, by Representatives Smythe, Bauer, Zimmerman, Laughlin, Curtis, Julin and Pardini:

Making Miss Washington honorary state hostess.

On motion of Senator Grant, the rules were suspended, Engrossed House Concurrent Resolution No. 9 was advanced to second reading and read the second time in full.

On motion of Senator Grant, the rules were suspended, Engrossed House Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

## MOTIONS

On motion of Senator Mardesich, the following Senate Bills were ordered to hold their place on the second reading calendar for Friday, February 16, 1973: 2183, 2066 and 2140.

On motion of Senator Herr, Senate Bill No. 2004 was ordered placed at the beginning of the second reading calendar for Monday, February 19, 1973.

## SECOND READING

SENATE BILL NO. 2350, by Senator Francis (by Judicial Council request):  
Appointing pro tempore judges of the court of appeals.

## REPORT OF STANDING COMMITTEE

February 9, 1973.

SENATE BILL NO. 2350, appointing pro tempore judges of the court of appeals (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1 (1), line 8, after “,” and before “may” on line 9 strike “a majority of a division of the court of appeals” and insert “the chief justice of the supreme court of the state of Washington”

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Twigg, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 2, section 2, line 5, after “service” and before the period insert “: PROVIDED, HOWEVER, That the total amount of combined compensation received as salary and retirement by any judge in any calendar year shall not exceed the yearly salary of a full-time judge”.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2350, together with the adopted committee amendment, and the adopted amendment by Senator Mardesich, was ordered placed at the end of the second reading calendar for today.

## SECOND READING

SENATE BILL NO. 2464, by Senators Guess and Fleming (by Department of Highways request):

Providing for competitive bidding for highway construction and maintenance.

The bill was read the second time by sections.

On motion of Senator Guess, the following amendment was adopted:

On page 3, section 2, line 8 after "deems necessary" strike all the matter down through "for bids]" on line 15 and insert the following "": PROVIDED, That when the estimated cost of any contract to be awarded is less than twenty-five thousand dollars, the call for bids need only be published in one paper of general circulation in the county where the major part of the work is to be performed: PROVIDED FURTHER, That when the estimated cost of a contract to be awarded is [five-thousand] *seven thousand five hundred* dollars or less, including the cost of materials, supplies, engineering, and equipment, the state highway commission need not publish a call for bids."

On motion of Senator Guess, the rules were suspended, Engrossed Senate Bill No. 2464 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2464, and the bill passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—38.

Voting nay: Senators Canfield, Clarke, Matson, Peterson (Ted), Scott, Stender, Woodall—7.

Absent or not voting: Senators Atwood, Twigg—2.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2464, having received the 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. 2618, by Senators Durkan and Lewis (Harry) (by Department of Employment Security request):

Defining the conditions for use of certain unemployment funds.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the rules were suspended, Senate Bill No. 2618 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Ridder: "Will Senator Lewis (Harry) yield to a question? Does this mean then that the money set aside in the supplementary budget for the Employment Security



Department then would be reverted and that item in the supplemental budget would not stand?"

Senator Lewis (Harry): "No, it means that the raises that are included in the supplemental budget will come out of the Reed Act funds."

Senator Ridder: "Where does that appropriation go then that was appropriated to take care of those people?"

Senator Lewis (Harry): "There was no appropriation. It was appropriated in the supplemental from the Reed Act funds. There was no appropriation in the supplemental other than the one that we are describing here. There were no general fund dollars ever intended to go to Employment Security to pay for the raises over there."

Senator Ridder: "So this authorizes that increase then from Reed Act funds?"

Senator Lewis (Harry): "This legislation is a technical amendment which permits the use of Reed Act funds for a period of twenty-five years to comply with a change in federal."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2618, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Twigg, Van Hollebeke—2.

Excused: Senators Day, Dore—2.

SENATE BILL NO. 2618, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Pro Tempore Henry assumed the Chair.

#### SECOND READING

SENATE BILL NO. 2619, by Senators Durkan and Lewis (Harry) (by Department of Employment Security request):

Appropriating funds for the employment security department.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the rules were suspended, Senate Bill No. 2619 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2619, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Twigg—1.

Excused: Senators Day, Dore—2.

SENATE BILL NO. 2619, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2432, by Senators Walgren, Guess, Metcalf and Matson:  
Regulating sale and transfer of devices adapted for the use of drugs by injection.  
The bill was read the second time by sections.  
Senator Guess moved adoption of the following amendment:  
On page 1, section 1, line 5, strike "use,"

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2432, with the pending amendment by Senator Guess, was ordered to hold its place on the second reading calendar for Friday, February 16, 1973.

#### SECOND READING

SENATE BILL NO. 2240, by Senators Bottiger, Clarke and Woody (by Department of Social and Health Services request):  
Establishing hearing procedures for return of out-of-state parole violators.

#### REPORT OF STANDING COMMITTEE

February 12, 1973.

SENATE BILL NO. 2240, establishing hearing procedures for return of out-of-state parole violators (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 10, after "appropriate" and before "administration" strike "judicial or" and insert "interstate compact"

On page 1, section 2, line 24, after "report" and before "to the" insert ", through the interstate compact administrator's office."

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendments were adopted.

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 2240 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2240, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Twigg—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2240, having received the 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. 2252, by Senators Woody, Francis and Clarke (by Secretary of State request):

Eliminating the filing requirement for articles of incorporation by a foreign corporation.

The bill was read the second time by sections.

On motion of Senator Woody, the rules were suspended, Senate Bill No. 2252 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2252, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Absent or not voting: Senators Scott, Sellar, Twigg-3.

Excused: Senators Day, Dore-2.

SENATE BILL NO. 2252, having received the constitutional 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. 18, by Representatives O'Brien and Barden (by State Treasurer request):

Authorizing the state treasurer to appoint such deputies as he deems necessary.

The bill was read the second time by sections.

On motion of Senator Mardesich, the rules were suspended, Engrossed House Bill No. 18 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 18, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Absent or not voting: Senators Scott, Twigg-2.

Excused: Senators Day, Dore-2.

ENGROSSED HOUSE BILL NO. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2287, by Senators Bottiger, Stortini, Fleming and Ridder (by Joint Committee on Education request):

Implementing law relating to school district organization.

The Senate resumed consideration of Senate Bill No. 2287, all committee amendments with the exception of the committee amendment to page 5, section 8 were adopted on Wednesday, February 14, 1973. Senator Bottiger moved adoption of the committee amendment to page 5, section 8 on Wednesday, February 14, 1973.

The motion by Senator Bottiger carried.

Senator Clarke moved adoption of the following amendment by Senators Clarke and Bottiger:

On page 1, section 1, line 16, strike "one" and insert "twenty-five"

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Clarke yield? Senator Clarke, why are you particularly selecting the figure of twenty-five thousand? If the philosophy of the bill was good down to one thousand, which the committee felt it was, why is twenty-five thousand a particularly magic figure?"

Senator Clarke: "The reason for that was that in discussions with various members there was an objection to the mandating at a state level that school districts must, in effect, have director districts and that those director districts must be chosen in the manner specified in the bill. So the reason for picking that particular figure was merely to restrict the bill to the very few districts which we understood were the ones that wanted a rifle shot at the problem. We felt in reality it was a little unfair to some of the other districts who probably were not aware of this particular situation and had not had an adequate opportunity to consider the application of this particular bill to their situation. Twenty-five thousand pretty much restricts this to the very large districts and the understanding was at this time that is the only place the problem existed."

Senator Guess moved adoption of the following amendment to the amendment by Senators Clarke and Bottiger:

Amend the Clarke-Bottiger amendment to page 1, section 1, line 16, by striking "twenty-five thousand" and inserting "thirty-three thousand five hundred"

Debate ensued.

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Atwood yield to a question? Senator Atwood, if your amendment passes or Senator Guess's amendment passes, will you then support the bill?"

Senator Atwood: "Probably."

The motion by Senator Guess carried and the amendment to the amendment by Senators Clarke and Bottiger was adopted.

The motion by Senator Clarke carried and the amendment, as amended, was adopted.

On motion of Senator Clarke, the rules were suspended and the following amendment by Senators Clarke and Bottiger to the committee amendment was adopted:

Amend the Committee Amendment to page 2, section 2, line 24 as follows: On line 7 of the committee amendment strike "one thousand" and insert "thirty-three thousand five hundred"

Senator Guess moved adoption of the following amendment by Senators Guess and Lewis (Harry):

On page 1, section 1, line 17, strike "shall" and insert "may"

Debate ensued.

The motion failed and the amendment was not adopted.

On motion of Senator Bottiger, the committee amendment to the title was adopted.

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 2287 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2287, and the bill passed the Senate by the following vote: Yeas, 27; nays, 20; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Connor, Donohue, Durkan, Fleming,

Francis, Gardner, Grant, Greive, Henry, Herr, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Walgren, Washington, Woody—27.

Voting nay: Senators Canfield, Clarke, Guess, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Matson, Murray, Newschwander, Peterson (Ted), Sellar, Stender, Talley, Twigg, Van Hollebeke, Wanamaker, Whetzel, Woodall—20.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2287, having received the 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. 2350, by Senator Francis (by Judicial Council request):

Appointing pro tempore judges of the court of appeals.

The Senate resumed consideration of Senate Bill No. 2350, the committee amendment and amendment by Senator Mardesich having been adopted previously today.

Senator Grant moved adoption of the following amendment:

On page 1, section 1, line 11, after "appeals" and before the period insert "":  
 PROVIDED, HOWEVER, That no judge pro tempore appointed to serve on the court of appeals may serve more than ninety days in any one year: AND PROVIDED FURTHER, That the court of appeals shall not utilize the services of judges pro tempore to exceed two hundred forty court days during any one year"

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Woodall yield to a question? Senator Woodall, the appeals court at the present time has three members. Is there any restriction that two members cannot hear cases?"

Senator Woodall: "Yes, that is the whole point. There is a positive restriction. All they can do is sit around and write opinions on cases they have heard before. They cannot sit as a court until they have a third member there. That is the whole thrust of this measure."

Senator Rasmussen: "Why don't we change that law? There would not be any objection to having two members of the appeals board hear the cases unless they divided on and then they could not come to any decision."

Senator Woodall: "Well, that would change the basic structure. Most people felt that when you appeal that they wanted a minimum of three to hear the cause. Now that is a new concept that you are injecting right now."

The motion by Senator Grant carried and the amendment was adopted on a rising vote.

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2350 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2350, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Peterson (Ted), Stender—2.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2350, having received the 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. 2504, by Senators Sandison and Bailey:

Establishing a board on geographic names.

The bill was read the second time by sections.

On motion of Senator Durkan, the following amendment was adopted:

On page 3, section 7, line 29, after "duties" and before the period insert "which shall be paid by the agency that each member represents and, for the two members of the general public, by the department of natural resources"

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 2504 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Francis: "Will Senator Sandison yield to a question? Senator Sandison, under this section eight, if a person in a radio advertisement said, 'Come on out on the Northgate freeway to Northgate,' would that be in violation of this section; and, secondly, if someone in an advertisement referred to the George Washington Memorial Bridge in Seattle as the Aurora Bridge and said that they are located at the north end of the Aurora Bridge, would they be in violation of this section?"

Senator Sandison: "No, not as I interpret the bill nor was this the testimony of any of the people supporting it. What they are trying to get at in this section are these people that will take over an existing lake and because it is named some particular esthetic name such as Conifer, we will say, and they want to change the name to Lake Conifer because they are starting a promotion, they start calling it Lake Conifer and using it that way. That would be certainly in violation. But not anyone that wants to advertise their business separately because of common usage."

Senator Francis: "Senator, would that mean then that perhaps the reverse would be true, that—it says, 'No person shall in any advertisement or publication attempt to change local usage,' etc. If someone decided to refer to the Aurora Bridge by its proper name, the George Washington Memorial Bridge, would they then be in trouble in this section?"

Senator Sandison: "Of course, the first thing is that the George Washington Memorial Bridge is not a geographic area. It does not come under the bill. And I think that is the biggest problem. We would be talking about mountains, lakes and streams and so on."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2504, and the bill passed the Senate by the following vote: Yeas, 30; nays, 14; absent or not voting, 3; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Woody—30.

Voting nay: Senators Atwood, Clarke, Francis, Guess, Lewis (Bob), Metcalf, Murray, Scott, Sellar, Twigg, Van Holvebeke, Wanamaker, Whetzel, Woodall—14.

Absent or not voting: Senators Lewis (Harry), Peterson (Ted), Stender—3.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2504, having received the 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

At 12:15 p.m., on motion of Senator Mardesich, the Senate recessed until 7:00 p.m.

## EVENING SESSION

The President called the Senate to order at 7:00 p.m.

## MOTION

At 7:05 p.m., on motion of Senator Atwood, the Senate recessed until 7:55 p.m.

## SECOND EVENING SESSION

The President called the Senate to order at 7:55 p.m.

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 13, 1973.

SENATE BILL NO. 2037, regulating farm vehicle widths on public highways (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2037 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Sellar, Talley, Wanamaker.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2056, relating to mandatory minimum liability insurance requirements for operators of vehicles for hire (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2139, relating to construing the Consumer Protection Act to extend to any unfair practice, act, or method of a camping club in the conduct of its trade or commerce (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2298, relating to regulating fire extinguishers and fire extinguishing systems (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2396, requiring state agencies and institutions and municipal corporations to contract with fire protection district (reported by Committee on Rules) which recommends that the bill do pass as amended by the Committee on Local Government and that it be referred to the Committee on Ways and Means.

Signed by: John A. Cherberg, Chairman; Senators Atwood, Bailey, Bottiger, Henry, Herr, Lewis (Harry).

There being no objection, Senate Bill No. 2396 was referred to the Committee on Ways and Means.

February 15, 1973.

SENATE BILL NO. 2425, implementing the law relating to write-in-voting at primaries and general elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2429, implementing law relating to absentee balloting (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2488, amending the implied consent law to permit a person who has refused the test to plead guilty and keep his license (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Durkan, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2593, providing organizational changes in the Joint Committee on Education (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2647, providing for the creation of a special investigative and referral unit in the department of social and health services (reported by Committee on Rules) which recommends the bill be referred to the Committee on Ways and Means.

Signed by: Lieutenant Governor Cherberg, Chairman; Senators Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Stender, Talley, Woodall.

There being no objection, Senate Bill No. 2647 was referred to the Committee on Ways and Means.

February 15, 1973.

SENATE JOINT MEMORIAL NO. 115, memorializing Congress to grant home-rule and congressional representation to the District of Columbia (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini.

Passed to Committee on Rules for second reading.

February 15, 1973.

HOUSE BILL NO. 155, repealing certain statutes relating to the valuation of trust lands sold for park purposes (reported by Committee on Parks and Recreation):

MAJORITY recommendation: Do pass.



Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Wanamaker, Woody.  
Passed to Committee on Rules for second reading.

February 15, 1973.

HOUSE BILL NO. 360, authorizing use of school buses to transport elderly persons to beneficial programs or activities (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Peterson (Ted).  
Passed to Committee on Rules for second reading.

February 15, 1973.

ENGROSSED HOUSE BILL NO. 388, making substantive changes to education code (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Peterson (Ted).  
Passed to Committee on Rules for second reading.

February 15, 1973.

HOUSE BILL NO. 389, providing for the exchange of lands having commercial recreational leasing potential (reported by Committee on Parks and Recreation):

MAJORITY recommendation: Do pass.

Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Wanamaker, Woody.  
Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

February 14, 1973.

DR. OSWALD H. GREAGER, to the position of Chairman of the Thermal Power Plant Site Evaluation Council, appointed by the Governor on October 19, 1970 for the term ending at the pleasure of the Governor, succeeding James Dolliver (reported by the Committee on Transportation and Utilities):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Bottiger, Knoblauch, Lewis (Bob), Rasmussen, Sellar, Wanamaker, Whetzel.

Passed to Committee on Rules.

#### SECOND READING

SENATE BILL NO. 2361, by Senators Stortini, Metcalf, Canfield and Ridder (by Secretary of State request):

Providing for review of and rebuttal to arguments in the voter's pamphlet.

#### REPORT OF STANDING COMMITTEE

February 9, 1973.

SENATE BILL NO. 2361, providing for review of and rebuttal to arguments in the voter's pamphlet (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 14, after "shall be the" strike "official" and insert "[official]"

On page 3, section 3, line 33, after "shall" strike "be empowered to"

On page 4, section 4, line 18, after "shall" strike "be empowered to" and insert "[be empowered to]"

On page 5, section 6, line 26, after "shall" strike "be empowered to"

Signed by: Senators Grant, Chairman; Metcalf, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendments were adopted.

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2361 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2361, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2361, having received the 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. 2480, by Senators Henry, Peterson (Lowell) and Talley:

Relating to reforestation lands, disposition of proceeds.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 2480 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2480, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Atwood, Metcalf—2.

Excused: Senators Day, Dore—2.

SENATE BILL NO. 2480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2275, by Senators Guess, Woodall and Keefe:

Changing the effective date of the Uniform Alcoholism and Intoxication Act.

#### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2275, changing the effective date of the Uniform Alcoholism and Intoxication Act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8, after "effective" strike the balance of the sentence and insert "January 1, [1974] 1975."

Add a new section immediately following section 1 as follows:

*"NEW SECTION.* Sec. 2. There is added to chapter 122, Laws of 1972 ex. sess. and chapter 70.96A RCW a new section to read as follows:

The department of social and health services shall make and deliver a written progress report on the implementation of the uniform alcoholism and intoxication treatment act every ninety days up to the effective date of the act, January 1, 1975 to the appropriate committee of the legislative council, or its successor."

On line 3 of the title, after "sess." insert "; and adding a new section to chapter 70.96A RCW."

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

The bill was read the second time by sections.

Senator Guess moved adoption of the committee amendment to page 1, section 1, line 8.

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Guess yield to a question? Senator Guess, you are looking at a state-wide problem and you are worrying about Expo '74 and there are other legislators in this body that have deep concern about the implementation of this act. Can we justify one particular community in the state prolonging this program? Can you justify the action that this body should take to put this off for an additional year?"

Senator Guess: "Senator Peterson, I think that the program is already in operation in Seattle and it will not hurt in any way the operation there. I have had correspondence from the group in Wenatchee. The Wenatchee World ran an article on this. The editor happened to be down in Portland, Oregon and he found out that down there they had put it into effect without having the proper facilities and so there was a half a page story with photographs in the Wenatchee World about the possibility that the bill would go into effect in the state of Washington without the necessary facilities. I also just this week have had a letter from the Clark County alcohol and treatment unit and they urge that we put this off until 1975 because they do not have the necessary facilities. If the pilot project that is going to give them some money goes through then they will build the facilities and they figure that it would be better to put it off another year."

#### MOTION

On motion of Senator Peterson (Lowell), Senate Bill No. 2275 with the pending committee amendment to page 1, section 1, line 8, was ordered to hold its place on the second reading calendar for Friday, February 16, 1973.

SENATE BILL NO. 2093, by Senators Atwood, Newschwander and Marsh:

Establishing procedures for the disposition of certain moneys not otherwise provided for by law.

#### REPORT OF STANDING COMMITTEE

February 12, 1973.

SENATE BILL NO. 2093, establishing procedures for the disposition of certain monies not otherwise provided for by law (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 23, before "a statement" strike "*and to the legislative budget committee*"

On page 2, section 2, line 2, after "received." add a new sentence as follows: "*A copy of any proposal submitted to the governor to expend money from an appropriated fund or account in excess of appropriations provided by law which is based on the receipt of unanticipated revenues shall be submitted to the legislative budget committee and also to*

*the standing committees on ways and means of the house and senate if the legislature is in session at the same time as it is transmitted to the governor."*

On page 2, section 3, line 12, after "committee" and before the period insert: "*and also to the standing committee on ways and means of the house and senate of all executive approvals of proposals to expend money in excess of appropriations provided by law*"

On page 2, after line 12, insert:

"*NEW SECTION.* Sec. 4. No state department, agency, board, or commission shall expend money in excess of appropriations provided by law based on the receipt of unanticipated revenues without complying with the provisions of this act."

Renumber the remaining section.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendments were adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 2093 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2093, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2093, having received the 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. 2081, by Senators Whetzel, Bottiger and Woody:

Providing for the adoption of the uniform management of institutional funds act.

#### REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2081, providing for the adoption of the uniform management of institutional funds act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, strike all of section 13.

Beginning on line 2 of the title, after "24 RCW" strike the semicolon and the balance of the title and insert a period.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Keefe, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Whetzel, the committee amendment to page 5 was adopted.

Senator Clarke moved adoption of the following amendment:

On page 2, section 3, line 27, after "applies" and before "to" insert "only" and after "executed" strike "or in effect before or".

Debate ensued.

## MOTIONS

Senator Herr moved that the amendment by Senator Clarke be laid upon the table.

The motion failed on a rising vote.

On motion of Senator Durkan, Senate Bill No. 2081, together with the adopted committee amendment and the pending amendment by Senator Clarke, was ordered to hold its place on the second reading calendar for Friday, February 16, 1973.

## SECOND READING

HOUSE BILL NO. 238, by Representative Benitz, Kilbury, Haussler, Morrison and Tilly (by Department of Agriculture request):

Redefining boundaries of Washington state fruit commission districts.

The bill was read the second time by sections.

Senator Bottiger moved adoption of the following amendment:

On page 1, section 1, line 25, after "cherries" insert "strawberries".

On motion of Senator Washington, the amendment by Senator Bottiger was laid upon the table.

Senator Grant moved adoption of the following amendment:

On page 1, section 1, line 25, after "cherries" insert "hazel nuts".

Debate ensued.

On motion of Senator Jolly, the amendment by Senator Grant was laid upon the table.

On motion of Senator Jolly, the rules were suspended, House Bill No. 238 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 238, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Day, Dore—2.

HOUSE BILL NO. 238, having received the 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 Senator Mardesich, Senate Bill No. 2378 was ordered to hold its place on the second reading calendar for Friday, February 16, 1973.

## SECOND READING

SENATE BILL NO. 2111, by Senators Stender, Greive, Connor, Marsh and Dore:

Implementing law relating to credit unions.

The Senate resumed consideration of Senate Bill No. 2111, the committee amendment to page 5, section 6, having been adopted on February 2, 1973.

On February 6, 1973, Senator Dore moved adoption of the committee amendment to page 7, section 10, beginning on line 30, and the following amendment by Senator Dore to the committee amendment was adopted:

In line 6 of the amendment, after "loans" strike "[, or]" and insert ", or".

On February 7, 1973, on motion of Senator Greive, Senate Bill No. 2111 and the pending committee amendments were returned to the Committee on Financial Institutions with instructions to report back within five days.

On motion of Senator Walgren, the committee amendments to page 7, section 10, as amended, and page 13, section 15 were adopted.

#### EXPLANATION OF FAILURE TO VOTE

February 15, 1973.

Because I serve on the Board of Directors of the Wenatchee Medical Workers Credit Union, I choose to abstain on Senate Bill No. 2111 because of a possible conflict of interest.

(Signed) Senator George Sellar.

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2111 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Odegaard: "Would Senator Stender yield to a question? Senator Stender, would this bill allow credit unions to lend to non-credit-union members?"

Senator Stender: "No."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2111, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Bottiger—1.

Absent or not voting: Senator Sellar—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2111, having received the 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 Senator Peterson (Lowell), Senate Bill No. 2592 was ordered to hold its place on the second reading calendar for Monday, February 19, 1973.

On motion of Senator Mardesich, Senate Joint Resolution No. 105 was ordered to hold its place on the second reading calendar for Friday, February 16, 1973.

#### PRESIDENT'S PRIVILEGE

The President: "The members of the Senate wish to join with the President in complimenting you on your picture as Representative Walgren in the Seattle Evening Bugle today."

#### REMARKS BY SENATOR WALGREN

Senator Walgren: "Well, I can only respond by saying that that was just about as accurate as some of the other information that comes out of those newspapers."

Senator Woodall: "I concur with the remarks by Senator Walgren."

#### SECOND READING

SENATE BILL NO. 2244, by Senators Clarke, Francis and Bottiger (by Department of Social and Health Services request):

Implementing law of revocation of parole and probation.

#### REPORT OF STANDING COMMITTEE

February 12, 1973.

SENATE BILL NO. 2244, implementing law of revocation of parole and probation (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14, after "county" and before "where the" insert "seat of the county"

On page 1, section 1, line 18, after "court" and before "shall" insert "which granted probation"

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Clarke, the committee amendment to page 1, section 1, line 14, was adopted.

On motion of Senator Clarke, the committee amendment to page 1, section 1, line 18 was not adopted.

On motion of Senator Woody, the following amendment was adopted:

On page 1, section 1, line 18, after "court" and before "for" insert "which granted probation".

#### MOTION

On motion of Senator Bottiger, Senate Bill No. 2244, as amended, was referred to the Committee on Ways and Means.

#### SECOND READING

SENATE CONCURRENT RESOLUTION NO. 111, by Senators Odegaard and Gardner:

Providing for review of institutional education programs and parental input into their contents.

The resolution was read the second time in full.

On motion of Senator Odegaard, the rules were suspended, Senate Concurrent Resolution No. 111 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2196, by Senators Gardner, Fleming, Murray, Peterson (Ted), Francis and Stortini (by Joint Committee on Education request):

Authorizing community education pilot programs and appropriating funds therefor.

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

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2196, and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—37.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Newschwander, Sellar, Twigg, Wanamaker, Woodall—9.

Absent or not voting: Senator Metcalf—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2196, having received the 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

At 9:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, February 16, 1973.

JOHN A. CHERBERG, President of the Senate.  
SIDNEY R. SNYDER, Secretary of the Senate.



**FORTIETH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Friday, February 16, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Day, Dore and Rasmussen. On motion of Senator Keefe, Senators Day and Dore were excused.

The Color Guard, consisting of Pages Bryce Hausemann and Sheryl Hughey, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD, WE ARE GRATEFUL THIS MORNING FOR THE GIFT OF LIFE AND OF OPPORTUNITY. WE COME HERE NOT WITH EASY ANSWERS OR WITH READY SOLUTIONS TO THE PROBLEMS OF OUR TIME. WE DO COME WITH OPEN MINDS, IN QUEST OF THY LEADING, AND IN READINESS TO DO THY WILL. GRANT US THEN THE WISDOM AND INSIGHT WE NEED FOR THIS HOUR. THROUGH CHRIST OUR LORD. AMEN.”

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

February 15, 1973.

SENATE BILL NO. 2075, revising the apportionment formula for the grade crossing protective fund (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2132, providing for a state criminal justice commission and training center (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended and refer to the Committee on Ways and Means.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Lewis (Bob), Murray, Talley, Whetzel.

There being no objection, Senate Bill No. 2132 was referred to the Committee on Ways and Means.

February 15, 1973.

SENATE BILL NO. 2245, providing compensation to members of the marine employees' commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2266, amending the Law Enforcement and Fire Fighters Retirement System Act (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended and refer to the Committee on Ways and Means.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Lewis (Bob), Murray, Talley, Whetzel.

There being no objection, Senate Bill No. 2266 was referred to the Committee on Ways and Means.

February 15, 1973.

SENATE BILL NO. 2306, authorizing legislative authority of a county to employ an attorney for legal services (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Murray, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2457, allowing certain police chiefs prior out of state service credit under the LEFF system (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Lewis (Bob), Murray, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2501, allowing recreational use of utility rights of way over state lands (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Talley.

Passed to Committee on Rules for second reading.

February 14, 1973.

SENATE BILL NO. 2513, raising salaries of county officials (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2548, authorizing the game commission to issue elk tags by subspecies of animal or geographic area (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Metcalf, Peterson (Ted), Rasmussen, Talley.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2551, prescribing purposes for which motor vehicle funds may be expended (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2648, defining standards of valuation for fraternal benefit insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE HOUSE

February 15, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 32,

ENGROSSED HOUSE BILL NO. 79,

HOUSE BILL NO. 175,

SECOND SUBSTITUTE HOUSE BILL NO. 176,

SUBSTITUTE HOUSE BILL NO. 208,

ENGROSSED HOUSE BILL NO. 279,

ENGROSSED HOUSE BILL NO. 291,

ENGROSSED HOUSE BILL NO. 337,

HOUSE BILL NO. 346,

HOUSE BILL NO. 590, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 32, by Representatives Charnley and Matthews:

Requiring the county auditor to notify the owner when a lien is filed.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 79, by Representatives Bagnariol, Chatalas and Pardini:

Implementing the law of savings and loan associations.

Referred to Committee on Financial Institutions.

HOUSE BILL NO. 175, by Representatives King, Jueling and Warnke (by Public Employees' Collective Bargaining Committee request):

Making certain amendments to the public employees' collective bargaining.

Referred to Committee on Labor.

SECOND SUBSTITUTE HOUSE BILL NO. 176, by Committee on Labor (originally sponsored by Representatives King, Swayze, Savage, Bauer, Clemente, Knowles and Laughlin) (by Public Employees' Collective Bargaining Committee request):

Implementing the laws relating to public employees.

Referred to Committee on Labor.

SUBSTITUTE HOUSE BILL NO. 208, by Committee on Local Government (originally sponsored by Representatives Sommers and North (Lois)):

Authorizing new procedures for the management of county property.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 279, by Representatives Savage, Zimmerman and Adams (by Department of Social and Health Services request):  
 Providing some industrial insurance benefits to inmates of juvenile forest camps.  
 Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 291, by Representative Charette:  
 Prohibiting private appraising by assistant and deputy assessors.  
 Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 337, by Representatives Perry, Rabel, Thompson, Morrison, Douthwaite and Pardini (by Department of Social and Health Services request):  
 Removing restrictions on convicted felons from obtaining certain employment.  
 Referred to Committee on Social and Health Services.

HOUSE BILL NO. 346, by Representatives Swayze, Knowles and Eikenberry (by Department of Social and Health Services request):  
 Implementing law of detention of juveniles.  
 Referred to Committee on Social and Health Services.

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:  
 Providing for representation of breeders of quarterhorses on the racing commission.  
 Referred to Committee on Agriculture.

#### MOTION

Senator Mardesich moved that Senate Bill No. 2183 be placed at the end of today's second reading calendar.

#### POINT OF INQUIRY

Senator Greive: "I would like to ask Senator Mardesich a question. Senator, I am a little reluctant to put it at the foot of the calendar. How long is it going to be before we get the fiscal note or do you have any information at all?"

Senator Mardesich: "We plan to run until we finish this calendar today, including another one."

Senator Greive: "Okay, fine. I have no objection."

The motion by Senator Mardesich carried. Senate Bill No. 2183 was placed at the end of today's second reading calendar.

#### SECOND READING

SENATE BILL NO. 2081, by Senators Whetzel, Bottiger and Woody:  
 Providing for the adoption of the uniform management of institutional funds act.

The Senate resumed consideration of Senate Bill No. 2081. The committee amendment to page 5, striking all of section 13 was adopted on Thursday, February 15, 1973.

An amendment by Senator Clarke to page 2, section 3, line 27 had been moved for adoption on Thursday, February 15, 1973.

The motion by Senator Clarke carried and the amendment was adopted.

#### MOTION

On motion of Senator Whetzel, further consideration of Senate Bill No. 2081 was ordered placed at the end of the second reading calendar for today.

#### SECOND READING

SENATE BILL NO. 2275, by Senators Guess, Woodall and Keefe:

Changing the effective date of the Uniform Alcoholism and Intoxication Act.

The Senate resumed consideration of Senate Bill No. 2275 on second reading. Senator Guess having moved adoption of the committee amendment to page 1, section 1, line 8, on Thursday, February 15, 1973.

Debate ensued.

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Guess yield to a question? Senator Guess, I have in mind a specific measure that is yet to be presented to this body in the reallocation and the distribution of services at Northern State Hospital, and the alcohol detoxification center and treatment center is part of this program. Do you consider your amendment to the effect that you would halt all alcoholism and detoxification treatment to people of the state?"

Senator Guess: "Senator Peterson, in talking with my attorney I am told that this would not slow down the detoxification units. They are already in existence. The one in Seattle is working very successfully. They have been most fortunate in receiving federal funds to support that and we do not believe that the amendment would deter the agencies from going ahead if they have the funds."

Senator Peterson (Lowell): "Thank you."

Further debate ensued.

#### POINT OF INQUIRY

Senator Durkan: "Would Senator Guess yield? Senator, will your attitude be the same if the money for the pilot program in Spokane is taken out of the budget?"

Senator Guess: "The pilot program for Spokane is going to last only six months."

Senator Durkan: "They still had more in it. They had more money provided for. If that money comes out of the budget, will your feelings be the same as far as the amendment is concerned on this act?"

Senator Guess: "I would be willing to see the money come out if it does not extend through the period of 1974."

The motion by Senator Guess carried and the committee amendment to page 1, section 1, line 8, was adopted on a rising vote.

On motion of Senator Mardesich, the committee amendment adding a new section was adopted.

On motion of Senator Guess, the committee amendment to the title was adopted.

On motion of Senator Guess, the rules were suspended, Engrossed Senate Bill No. 2275 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2275, and the bill passed the Senate by the following vote: Yeas, 26; nays, 20; absent or not voting, 1; excused, 2.

Voting yea: Senators Connor, Donohue, Durkan, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegard, Peterson (Lowell), Scott, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Woodall—26.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Fleming, Francis, Gardner, Grant, Knoblauch, Newschwander, Peterson (Ted), Ridder, Sandison, Stender, Stortini, Wanamaker, Washington, Whetzel, Woody—20.

Absent or not voting: Senator Rasmussen—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2275, having received the 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. 2378, by Senators Walgren, Guess and Stortini (by Department of Highways request):

Providing for the sale of certain property held by the highway department.

The bill was read the second time by sections.

Senator Bottiger moved adoption of the following amendment:

On page 4, line 12, add a new section to read as follows:

"NEW SECTION. Sec. 6. Before any sale shall be final, the commission shall cause to be reported in a legal newspaper of the county in which the property is located a legal advertisement setting forth the legal description of the property, the commonly known address, the name of the purchaser, the purchase price, the name of the agent, attorney, or real estate broker handling the transaction, the terms of the sale including the price and interest rate on any deferred payments, in three consecutive editions thereof. Any individual may within thirty days after the first publication of such advertisement offer subject to the same terms or conditions a purchase price of ten percent more than the offer advertised and the commission shall make such sale to the second purchaser subject again to like advertisement bid procedure as provided hereinabove."

Re-number the following section.

Senator Washington moved adoption of the following amendment to the amendment by Senator Bottiger:

Amend the Bottiger amendment to page 4, line 12, as follows:

On line 4 of the amendment, after "advertisement" insert ", and such other advertisement as the commission shall deem advisable,"

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Washington yield? This particular amendment does not mandate them to do anything, does it?"

Senator Washington: "No, it does not."

Senator Woodall: "Well now, everyone is concerned about disclosures and so forth. It seems to me that here is an area where there certainly ought to be minimal publicity given. Here would be an area where someone might have a specialized knowledge that a certain little block of land was available and he could slip a bid in, unless they happen to read a little item on the classified ad page, would never know that a certain tract of land was available. Don't you think there ought to be some minimal standards written in? We used to get a book that would come around when the state was selling land. Shouldn't there be some kind of a requirement of general circularization where everyone gets a chance to bid on this land?"

Senator Washington: "If you have some additional suggestions I would certainly go along with you. This is my effort to add something to what has already been put in in the form of an amendment. I think it is important that there be more than just the plain legal advertisement which, as you and I both know, many times is not widely read. Now I certainly have no pride of authorship in this particular amendment. I put it out rather hastily right here at the last minute. If you can think of some language to tighten that up, I would be very pleased to go along with you on it."

#### MOTIONS

On motion of Senator Woodall, Senate Bill No. 2378, together with the amendment by Senator Bottiger and the amendment to the amendment by Senator Washington was ordered held at the end of the second reading calendar for today.

On motion of Senator Mardesich, Senate Joint Resolution No. 105 was ordered to hold its place on the second reading calendar for Saturday, February 17, 1973.

## SECOND READING

SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr:  
Licensing journeymen electricians.

## REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2183, relating to licensing journeymen electricians (reported by Committee on Commerce):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 19, after the word "chapter" strike [.] and insert "for the installation of electrical equipment for light, heat, or power."

On page 1, section 2, following line 27, insert a new subsection as follows:

"(3) The business or trade of electrician, as herein used, shall encompass all acts involving installation or maintenance of the distribution of electricity, except as is herein after specifically excluded."

On page 7, section 14, line 3, after "communications" and before "circuits" insert "or electronic".

On page 7, section 14, line 3, after "apparatus" and before "nor" strike ";" and insert ", radio or television stations;".

On page 7, section 14, line 10, before "working" strike "electricians" and insert "employees".

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

The bill was read the second time by sections.

On motion of Senator Greive, the committee amendments to page 1 were adopted.

Senator Greive moved adoption of the committee amendment to page 7, section 14, line 3, after "communications" and before "circuits" insert "or electronic".

## MOTION

On motion of Senator Bailey, Senate Bill No. 2183, together with the adopted committee amendments and the pending committee amendment to page 7, section 14, line 3, was ordered held for consideration following Senate Bill No. 2432.

## SECOND READING

SENATE BILL NO. 2066, by Senators Durkan, Newschwander, Gardner, Marsh and Canfield (by Legislative Budget Committee request):

Modifying insurance programs for state employees and expanding the state employees' insurance board.

## MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 2066 was substituted for Senate Bill No. 2066 and the substitute bill was placed on second reading and read the second time in full.

Senator Newschwander moved adoption of the following amendment:

On page 3, section 1, line 9, after "18.25" insert "18.32".

On motion of Senator Mardesich, Substitute Senate Bill No. 2066 was ordered to hold its place on the second reading calendar for Saturday, February 17, 1973.

## MOTION

At 10:15 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 11:05 a.m.

## SECOND READING

SENATE BILL NO. 2432, by Senators Walgren, Guess, Metcalf and Matson:

Regulating sale and transfer of devices adapted for the use of drugs by injection.

The Senate resumed consideration of Senate Bill No. 2432 and the pending amendment by Senator Guess to page 1, section 1, line 5, striking "use," which was moved for adoption on Thursday, February 15, 1973.

The motion of Senator Guess carried and the amendment was adopted.

On motion of Senator Canfield, the following amendment was adopted:

On page 1, section 1, line 7, after "injection" and before the comma insert "into the human body".

On motion of Senator Guess, the following amendment was adopted:

On page 1, section 2, line 15, after "develop," insert "and" and after "prescribe" strike ", and enforce".

Senator Greive moved adoption of the following amendment by Senators Greive and Guess:

On page 1, section 2, line 18, after "RCW" and before the period insert ": PROVIDED, HOWEVER, That such regulations of the state board of pharmacy shall not apply to hospitals, physicians, nurses, and other medical practitioners authorized by virtue of their license to administer medications by means of the devices described in section 1 of this act".

Debate ensued.

There being no objection, on motion of Senator Greive, the amendment was withdrawn.

Senator Bottiger moved adoption of the following amendment by Senators Bottiger and Donohue:

On page 2, line 3, following section 5, add a new section to read as follows:

"*NEW SECTION.* Sec. 6. The provisions of this act shall be inapplicable to farmers and veterinarians using the devices described in section 1 for purposes of animal husbandry."

Renumber the following sections.

Debate ensued.

## POINT OF INQUIRY

Senator Guess: "Would Senator Bottiger yield? Could your provisions be reworded to say that the provisions of the act shall be inapplicable to farmers using devices of a veterinary type rather than using devices described in one, because you have taken them out of the requirement for registering if they buy from a veterinary house? A veterinary house does carry the small needle as well as the large, and what we would like to see is them keep the small needle out of the hands of those people who should not be getting them."

Senator Bottiger: "Senator Guess, I tried to do that. Senator Woody could get up and tell you his wife raises registered Persian cats. Shots at the veterinary shop are thirteen dollars apiece. His wife has had a little nurse's training so they bought a hypodermic needle and give their own shots. We raise registered boxer dogs and the hypodermic needle we use on the dogs is the same kind that the doctor uses for penicillin in his office. So I cannot say there is the exact example that Senator Donohue used which we also used on our horses. I think we have got about eight or nine hypodermic needles of varying sizes. All of which are used for animal husbandry but could be used on human beings."

Senator Guess: "What I am trying to do is to leave within the bill the requirement that those people who buy syringes from the veterinary houses that are susceptible to use by human beings will just register them."

## MOTION

Senator Guess moved that Senate Bill No. 2432 and the pending amendment by Senator Bottiger be held at the beginning of the second reading calendar for Saturday, February 17, 1973.

Debate ensued.



The motion by Senator Guess carried. Senate Bill No. 2432 and the pending amendment by Senator Bottiger was placed at the beginning of the second reading calendar for Saturday, February 17, 1973.

#### SECOND READING

SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr:  
Licensing journeymen electricians.

The Senate resumed consideration of Senate Bill No. 2183, the committee amendments to page 1 having been adopted previously today. On motion of Senator Greive, the committee amendments to page 7, section 14, lines 3 and 10, were adopted.

On motion of Senator Bailey, the following amendment was adopted:

On page 3, section 6, line 26, after "certificate" and before the period insert "":  
PROVIDED, HOWEVER, That any person, firm or corporation, licensed and bonded pursuant to the provisions of RCW 19.28.120 shall not be assessed and shall not be required to pay the annual renewal fee or take the examination for certification of competency"

Senator Durkan moved adoption of the following amendment:

On page 6, section 12, beginning on line 10, after "the" strike the balance of the section down to and including "fund" on line 17 and insert "state general fund"

#### POINT OF INQUIRY

Senator Stender: "Would Senator Durkan yield? Senator, the amendment as I understand it would require a general fund appropriation. Is it your thinking that the general fund be a vehicle to underwrite these specialty programs such as this is?"

Senator Durkan: "Senator, it is just the opposite. The fund will generate about ninety thousand dollars and the estimated expenditures are about fifty thousand so I do not want forty thousand left in that fund which can be used for purposes other than which the legislature wants designated."

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Durkan yield to a question? What happens to the money if there is an overage in this special fund at the end of a fiscal period?"

Senator Durkan: "The legislature can use it for auditing, it can use it for pension programs, it can use it to meet the additional salary increases of the inspectors, it can use it for any number of things. It is like the premium tax on insurance. Senator Clarke is listening now. The amount of money that goes to the Insurance Commissioner is minimal as to the amount of money that comes from the industry."

#### MOTION

Senator Lewis (Harry) moved that Senate Bill No. 2183 be referred to the Senate Committee on Commerce.

Debate ensued.

#### POINT OF INQUIRY

Senate Woodall: "Would Senator Greive yield to a question? Senator Greive, I do not understand. How can you say that when Senator Lewis wants to send a bill to a committee that you are chairman of that his motives are less than pure? Would you enlarge on that?"

Senator Greive: "Well, I think that is a very good question and a very embarrassing one. I do not have a good answer to that."

The motion by Senator Lewis (Harry) failed.

Debate ensued.

The motion by Senator Durkan carried and the amendment was adopted.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 7, section 14, lines 9 and 10, as amended by the committee amendment, strike "regularly employed maintenance employees working on the premises of their employer" and insert "persons employed by others as maintenance employees who construct, install, repair or modify electrical installations in the course of their employment".

Debate ensued.

#### MOTION

Senator Lewis (Harry) moved that Senate Bill No. 2183, as amended, and the pending amendment by Senator Lewis (Harry) be placed at the beginning of the second reading calendar for Saturday, February 17, 1973.

#### POINT OF INQUIRY

Senator Greive: "Would Senator Mardesich yield to a question? What is the schedule for today and tomorrow?"

Senator Mardesich: "It was our intention to attempt to finish this calendar but it is obvious we are not going to do it. I think that we will probably run until about 12:15 and then adjourn because we have committee meetings scheduled at 2:00 and Rules at 1:00. We will convene at eleven o'clock tomorrow."

Senator Greive: "If it can be the first bill on tomorrow's calendar, I have no objection."

The motion by Senator Lewis (Harry) carried. Senate Bill No. 2183, as amended, and the pending amendment by Senator Lewis (Harry) was ordered placed at the beginning of the second reading calendar for Saturday, February 17, 1973.

SENATE BILL NO. 2140, by Senator Francis:

Fixing remuneration for salaries and actual expenses of a judge pro tempore.

#### REPORT OF STANDING COMMITTEE

February 9, 1973.

SENATE BILL NO. 2140, fixing remuneration for salaries and actual expenses of a judge pro tempore (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11, after "[traveling]" and before "expenses" insert "*travel*".

On page 1, section 1, line 12, after "his residence]" and before "during" insert "*at ten cents per mile from his residence and in addition his actual living expenses not to exceed forty dollars per day*".

On page 1, section 1, line 19, after "[traveling]" and before "expenses" insert "*travel*" and after "expenses" insert "*at ten cents per mile from his residence and in addition his actual living expenses not to exceed forty dollars per day*".

On page 3, section 2, line 9, after "*lawyer*" and before "*pro tempore*" insert "*servicing as judge*".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Greive, Twigg, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments to page 1, section 1, lines 11 and 12 were adopted.

Senator Mardesich moved adoption of the committee amendment to page 1, section 1, line 19.

#### POINT OF INQUIRY

Senator Odgaard: "Would Senator Mardesich yield? Senator Mardesich, why was the figure forty dollars? My understanding for most interim committee work and for other state

employees the per diem is twenty-five dollar limit. I was just wondering why the judges should have forty?"

Senator Mardesich: "Is the chairman of the Judiciary or his vice chairman able to answer that question?"

Senator Francis: "The forty dollars was a committee amendment to put a limitation on it. We have shifted from twenty dollars a day to actual expenses. But the committee members felt that under no circumstances should they be getting more than the legislature and accordingly we put a forty dollar a day ceiling on it. The indications are or were, in testimony, that many of them would be getting less than they do now. Instead of getting an automatic twenty dollars a day they will have to document their actual expenses."

The motion of Senator Mardesich carried and the committee amendment to page 1, section 1, line 19 was adopted.

On motion of Senator Mardesich, the committee amendment to page 3, section 2, line 9 was adopted.

Senator Mardesich moved adoption of the following amendment:

On page 2, section 1, line 2, after "service" and before the period insert "*PROVIDED, HOWEVER, That the total amount of combined compensation received as salary and retirement by any judge in any calendar year shall not exceed the yearly salary of a full time judge*".

#### POINT OF INQUIRY

Senator Bailey: "May I ask Senator Mardesich a question? I went along with your amendment yesterday, Senator. I just wonder if I discovered a flaw in it or if you missed a word. Do you mean that compensation as a pro tempore judge cannot exceed a full compensation or do you mean the compensation of their pension plus what they would get as a pro tempore judge could not exceed a full time judge?"

Senator Mardesich: "It reads that the total amount of combined compensation received as salary and retirement by any judge in any calendar year. Now he would be a judge in a calendar year and would include not only that compensation he received as pro tempore but the dollars he received as retirement."

#### POINT OF INQUIRY

Senator Grant: "I wonder if Senator Francis would yield? I think I agree, Senator Francis, with the amendment offered by Senator Mardesich. When we considered the matter relative to the appellate court pro tempore judges the other night I offered an amendment that limited the number of pro tempore judges that could be serving in the appellate court. Now it would be a little difficult to offer a similar amendment on this particular measure because of the fact that there is different work loads in different counties and different numbers of judges. And I think this does deal with the superior court as well as—pro tempore judges of the superior court—as well as those in the supreme court. Can you tell me, Senator Francis, what testimony was given to indicate that pro tempore judges and how many pro tempore judges are necessary in, for example, King County?"

Senator Francis: "Senator, I am sorry, I do not know the answer to that. I know that pro tempores are fairly frequently used in King County and that has been one of the means by which King County has been able to keep from getting as far behind in their work load as otherwise might be expected. But I cannot tell you the exact number. In fact, that has not come up. I would say that amending this bill the way we amended the other one would be outside the scope and object of the bill since this is simply a matter of compensation and not a matter of authorizing the use of them."

Senator Woodall: "Well, I could answer that in Yakima County we have used one very extensively and we are only eleven months behind. We are having a hearing tonight. Hopefully the body will see fit to grant the fifth judge there, but without the use of the pro tempore our calendar would have been in much worse shape than it is."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Durkan, the following amendment was adopted:

On page 3, after section 2, add a new section as follows:

"*NEW SECTION.* Sec. 3. This bill shall not take effect until the funds necessary for its implementation have been specifically appropriated by the legislature and such appropriation itself has become law. It is the intention of the legislature that if the governor shall veto this section or any item thereof, none of the provisions of this bill shall take effect."

Senator Odegaard moved adoption of the following amendment to the committee amendment:

Amend the committee amendment to page 1, section 1, line 19 as follows:  
On line 4 of the amendment strike "*forty*" and insert "*twenty-five*".

#### POINT OF ORDER

Senator Woodall: "After a committee amendment has been adopted, is a further amendment at this time to the adopted committee amendment in order?"

#### RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Woodall, the President believes that the point as raised by Senator Woodall is in order and it would take reconsideration of the adoption of the committee amendment in order to open it up for further amendment."

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Odegaard moved the rules be suspended and the Senate immediately reconsider the vote by which the committee amendment to page 1, section 1, line 19 was adopted.

The motion carried.

The President declared the question before the Senate to be the adoption of the committee amendment to page 1, section 1, line 19 on reconsideration.

Senator Odegaard moved adoption of the amendment to the committee amendment. Debate ensued.

The motion by Senator Odegaard carried and the amendment to the committee amendment was adopted on a rising vote.

The committee amendment, as amended, was adopted.

On motion of Senator Durkan, the following amendment to the title was adopted:

On page 1, line 4 of the title, after "RCW 2.08.180" and before the period insert " ; and creating a new section".

On motion of Senator Francis, the rules were suspended, Engrossed Senate Bill No. 2140 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2140, and the bill passed the Senate by the following vote: Yeas, 33; nays, 13; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Donohue, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Keefe, Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Sandison, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—33.

Voting nay: Senators Bottiger, Fleming, Grant, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Stortini—13.

Absent or not voting: Senator Stender—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2081, by Senators Whetzel, Bottiger and Woody:

Providing for the adoption of the uniform management of institutional funds act.

The Senate resumed consideration of Senate Bill No. 2081, as amended.

On motion of Senator Whetzel, the following amendment was adopted:

On page 2, section 3, line 18, strike all of section 3. Renumber the remaining sections consecutively.

On motion of Senator Whetzel, the committee amendment to the title was adopted.

On motion of Senator Whetzel, the rules were suspended, Engrossed Senate Bill No. 2081 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2081, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Day, Dore—2.

ENGROSSED SENATE BILL NO. 2081, having received the 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

At 12:25 p.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Saturday, February 17, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FORTY-FIRST DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Saturday, February 17, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages John Cleary and Constance Hix, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“OUR FATHER, AS THIS WEEK DRAWS TO A CLOSE, WE WOULD EXPRESS OUR DEEP GRATITUDE FOR THE JOY THAT HAS COME TO ALL AMERICANS IN THE RETURN OF OUR PRISONERS OF WAR. OUR FAITH IN THY PROVIDENCE AND WATCHFUL CARE HAS BEEN RENEWED AND STRENGTHENED. WE COME TO THEE, ASSURED THAT THOU HAST AN INTEREST IN OUR WELL BEING, AND A CONCERN IN WHAT WE DO HERE. HELP US THEN IN THE TASKS OF THIS DAY. IN OUR MASTER’S NAME. AMEN.

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

February 17, 1973.

SENATE BILL NO. 2095, allowing port districts to select a treasurer other than the county treasurer (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2098, permitting county treasurers to invest in certain securities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Walgren.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2112, implementing state patrol retirement act (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2129, allowing qualified lay persons to represent others in proceedings before the board of industrial insurance appeals (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2130, providing for the fixing and payment of attorney fees in workman compensation cases (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2153, implementing the community college district professional negotiations act (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2221, increasing weekly unemployment compensation benefit amount for persons working part-time (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2312, establishing maximum rates to be paid for public printing and legal notices (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Sellar, Walgren, Whetzel.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2325, providing for workmen's compensation cost of living increases (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2338, providing for a compact between Washington, Oregon and Idaho relating to the Columbia River (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Peterson (Ted), Sandison.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2388, requiring annexation resolutions and petitions to be acted upon within one year (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren, Whetzel.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2408, authorizing remedies and penalties for violation of municipal competitive bidding requirements (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2438, allowing money from liquor revolving fund to universities to be used for alcoholism and drug addiction research (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2462, implementing laws relating to vocational education, including adult education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2468, granting free game licenses to persons who will turn seventy years of age within the calendar year (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2474, directing the state personnel board and higher education personnel board to award costs, including attorney fees, to reinstated employees (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2475, increasing from two to five dollars the fee charged by the secretary of state for receiving service of process as the agent of a corporation (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.



February 16, 1973.

SENATE BILL NO. 2497, allowing accrual of vacation leave until December 31st of each year (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2534, appropriating funds to Eastern Washington State College for the establishment of a master of social work degree program (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended and refer to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

There being no objection, Senate Bill No. 2534 was referred to the Committee on Ways and Means.

February 16, 1973.

SENATE BILL NO. 2574, providing for master degree of social work at Eastern Washington State College (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2634, enacting the state building code act (reported by Committee on Local Government):

MAJORITY recommendation: That Substitute Senate Bill No. 2634 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2661, requiring that deer and elk hunting seasons open on a Saturday (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2784, directing that certain state land be conveyed to Mason County (reported by Committee on Natural Resources):

MAJORITY recommendation: That Substitute Senate Bill No. 2784 be substituted therefor and the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Sandison.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE CONCURRENT RESOLUTION NO. 108, continuing study by joint committee on higher education respecting reciprocity as to nonresident student fees within institutions of higher education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

## MESSAGE FROM THE HOUSE

February 16, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 34,  
 ENGROSSED HOUSE BILL NO. 54,  
 ENGROSSED HOUSE BILL NO. 134,  
 ENGROSSED HOUSE BILL NO. 292,  
 ENGROSSED HOUSE BILL NO. 489,  
 ENGROSSED HOUSE BILL NO. 601,

HOUSE JOINT RESOLUTION NO. 10, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, the President is happy to report that Senator Fred H. Dore is making favorable progress toward the return to good health. However, the physician in charge has requested that there be no visitors as yet and no phone calls. Senator Dore wants to thank the good members of the Senate for the many cards, letters, and for the beautiful flowers, and has expressed his sorrow at missing out on the action. I knew that you would be happy to hear that Senator Dore is making favorable progress."

## MOTION

At 11:10 a.m., on motion of Senator Bailey, the Senate recessed until 12:40 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 12:40 p.m.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2800, by Senators Durkan, Donohue and Odegaard:

An Act adopting the budget for the department of social and health services and allied agencies; making appropriations and authorizing expenditures for the operations of the department and allied agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2801, by Senators Canfield and Jolly:

An Act relating to revenue and taxation; and providing for the taxation of certain steam powered electric generating facilities and the distribution of moneys received therefrom.

Referred to Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION NO. 116, by Senators Van Hollebeke and Woody:

Providing for a study of a proposed state route along the Snohomish-King county line.  
 Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 34, by Representatives Parker, Fortson, Erickson and Sommers:

Authorizing precinct committeemen to register voters.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 54, by Representatives Newhouse, Randall, and North (Lois) (by Legislative Council request):

Exempting from taxation certain vehicle parts, equipment, furnishings, and accessories during construction process.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 134, by Representatives Moon, Zimmerman, Smith and Gaines (by Legislative Council request):

Authorizing department of natural resources to remove wood debris from navigable waters.

Referred to Committee on Natural Resources.

ENGROSSED HOUSE BILL NO. 292, by Representatives Amen, Haussler, Zimmerman, Curtis, Flanagan, Hansey and Kilbury (by Executive request):

Providing for an advisory board of agriculture.

Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 489, by Representatives Perry, Charette, Thompson, Barden, Paris and Ceccarelli:

Allowing bargaining units of public employees to be union shops.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 601, by Representatives Parker, King, Erickson, Rabel, Fortson, Warnke, Bender, Clemente and Maxie:

Revising voter registration procedures.

Referred to Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 10, by Representatives North (Lois), Chatalas, Swayze, Charnley, Bluechel, Kilbury, Fortson, Thompson, Wojahn, Rabel, Goltz, Savage, King, Erickson, Valle, Williams, Ellis, Sommers, Maxie, North (Frances), Hayner, Patterson, Leckenby, Blair, Smythe, Ceccarelli and Shinpoch (by Executive and by Washington State Women's Council request):

Ratifying federal equal rights amendment.

Referred to Committee on Constitution and Elections.

There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

February 17, 1973.

SENATE BILL NO. 2268, enacting the land sales disclosure act (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Durkan, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2283, requiring voters to select candidates from one party at primary elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Metcalf, Stender, Stortini.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2377, changing laws relating to U.S. congressional elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2421, providing for changes in the publication of notice of proposed constitutional amendments (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Stortini.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2490, granting victims of crime compensation under certain conditions (reported by Judiciary Committee):

MAJORITY recommendation: Do pass and refer to Ways and Means Committee.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Greive, Twigg, Van Hollebeke, Woodall.

There being no objection, Senate Bill No. 2490 was referred to the Committee on Ways and Means.

February 16, 1973.

SENATE BILL NO. 2517, authorizing members of the legislative budget committee and its staff to attend executive hearings on the budget (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Fleming, Gardner, Lewis (Harry), Mardesich, Marsh, Newschwander, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2588, making department of revenue records relating to escheats of property available for public inspection (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 16, 1973.

SENATE BILL NO. 2625, requiring Senate confirmation of certain appointees be at first opportunity (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini.

Passed to Committee on Rules for second reading.

February 17, 1973.

SUBSTITUTE SENATE BILL NO. 2800, adopting a budget for the department of social and health services and related agencies (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2800 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

MOTION

At 12:45 p.m., on motion of Senator Mardesich, the Senate recessed until 1:45 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

MOTIONS

On motion of Senator Francis, Senator Greive was excused.

On motion of Senator Newschwander, Senator Twigg was excused.

SECOND READING

SENATE BILL NO. 2800, by Senators Durkan, Donohue and Odegaard:

Adopting the budget for the department of social and health services and allied agencies.

MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2800 was substituted for Senate Bill No. 2800 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Durkan, the Senate resolved itself into a Committee of the Whole for the purpose of considering Substitute Senate Bill No. 2800.

COMMITTEE OF THE WHOLE

President Pro Tempore Henry assumed the Chair.

On motion of Senator Fleming, the rules were suspended and the following amendments were considered in toto:

Senator Fleming moved adoption of the following amendments:

On page 1, line 21, strike "\$584,612,919" and insert "\$586,484,870".

On page 1, line 22, strike "\$431,101,166" and insert "\$433,031,624".

On page 3, line 24, strike "\$1,015,714,085" and insert "\$1,019,516,490".

On page 5, line 16, after "recipients" strike "\$338,922,873" and insert: "PROVIDED FURTHER, That \$3,802,409 of which \$1,871,951 shall be the state share shall be utilized exclusively for the purpose of providing a cost of living increase to the standards for recipients of aid to families with dependent children and general assistance recipients of public assistance effective July 1, 1973: PROVIDED FURTHER, That such increases shall be maintained throughout the coming biennium . . . \$342,725,282".

Debate ensued.

The motion by Senator Fleming failed and the amendments were not adopted on a rising vote.

On motion of Senator Day, the following amendments were adopted in the order shown:

On page 4, section 2, line 2, strike "\$52,572,215" and insert "\$50,771,674".

On page 3, section 3, line 24, strike "\$1,015,714,085" and insert "\$1,013,913,544".

On motion of Senator Lewis (Harry), the following amendment by Senators Lewis (Harry), Durkan, Fleming and Atwood was adopted:

On page 10, section 16, line 17, strike the period and insert "PROVIDED, That provisions of this appropriations act shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington."

Substitute Senate Bill No. 2800 was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass as amended.

President Cherberg resumed the Chair.

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute Senate Bill No. 2800 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Durkan yield? Senator Durkan, as I understand it, Rainier School for the mentally retarded lost several necessary positions because of the Governor's economic measures in the last year or so. Are these positions now back in the budget for this school for the 1973-75 biennium?"

Senator Durkan: "Mr. President, this was specifically discussed in the Senate Ways and Means Committee. One of the particular aspects of this budget is that both the man years and the amount of dollars have been provided for to Rainier and the department to fill those necessary vacancies. And we think the budget is flexible enough and there is a clear intent that the money is there for Rainier School."

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Durkan further yield? Senator Durkan, how much money is included in this budget for the artificial kidney treatment program?"

Senator Durkan: "Senator Odegaard and members of the Senate, eight hundred and twenty four thousand dollars have been included in the vocational rehabilitation appropriation. Two hundred thousand of this appropriation is state general fund money and is to be used for subsidizing treatment for those kidney patients who cannot qualify under other federal programs. These are the same funds that were previously, and this is important to understand, these are the same funds that were previously appropriated to the Division of Health. And I might add on this that we are not actually able at this time to make a sound estimate as to how much money is going to be available until such time as we have had an opportunity to determine what the federal government is going to do under HR 1."

#### POINT OF INQUIRY

Senator Rasmussen: "Mr. President, will Senator Durkan yield to a question? Senator Durkan, is it the intent of the Ways and Means Committee and will be the intent of this Senate that there shall be no ratable reductions?"

Senator Durkan: "There is no reason for ratable reductions in this budget and specifically we considered this in the manner in which we made the reductions. We reduced in the area of employment and we reduced in the area of case loads. The action of the Ways and Means Committee was intended so that, and I would specify ratable reduction as far as grants or vendor payments or anything else, there is plenty of money in this budget based upon the present economic rate."

#### POINT OF INQUIRY

Senator Talley: "Would Senator Durkan yield? I would like to know about Larch Mountain Honor Camp. I do not see anything in the budget on it."

Senator Durkan: "In the Governor's proposal Larch Mountain has been phased out. In the Department of Social and Health Services we have accepted the Governor's proposal. However, in the Ways and Means Committee meeting the Department of Natural Resources has now come forward and pointed out to the legislature that in the event that we are going to close Larch Mountain that it is going to cost the Department of Natural Resources an additional quarter of a million dollars to provide fire protection and fire control in that area. Based upon that it is my intention to hold extensive hearings with the Department of Natural Resources and probably towards the effort of keeping or opening Larch Mountain in some degree and using the labor that we have there now."

## POINT OF INQUIRY

Senator Bailey: "Will Senator Durkan yield? Senator, when you were making your remarks you made a statement that this would be a 'cut back' in the employment of people for the department. I think it would be well if we would set the record straight. Is it not true that you are really saying this is a cut back from the projections of the Governor's budget, that we will maintain the present employment level, at least in that department?"

Senator Durkan: "Yes, Senator, that is correct. If I gave anyone reason to believe that this budget provides for any layoffs that is not correct. This budget provides for the level of employment that is presently in the department and probably with a minimal increase of about one hundred and seventy-nine man years. So there is no reason for anyone in state government or in the department to say that they are going to lose their jobs because of this budget being passed. There might be a reason to think that there might be a little more productivity."

## POINT OF INQUIRY

Senator Fleming: "Would Senator Durkan yield to a question? Senator Durkan, along those same lines as the inquiry from Senator Bailey, you indicated this cut back in man hours. Was there something mentioned in the committee as it related to the specific moneys running out on the EEA jobs and what effect this would have?"

Senator Durkan: "Senator Fleming, the question was raised by the chairman to the department to EEA and were these people going to be laid off if it did expire before the beginning of the biennium. The conversation between the chairman and the department representatives was to the extent that there is sufficient vacancies available in which there should be no need to lay these people off on the grounds that EEA was running out."

## POINT OF INQUIRY

Senator Murray: "Would Senator Durkan yield to a question? Senator, on page two, lines ten to seventeen, there is 'PROVIDED' that says that the department will initiate negotiations with the federal government and so on, on two areas. One, the administration of the state supplementary security income program and also the Medicaid program. Is the intent here that the department will not only initiate negotiations but will complete negotiations so that the federal government will be responsible for the administration of those two programs?"

Senator Durkan: "Mr. President, we do not know the answer to that. The language was in there, the department is negotiating with them. The only additional language that we put in there was that before any negotiation is completed it will have to have legislative authorization."

## POINT OF INQUIRY

Senator Woodall: "Will Senator Atwood yield? Senator Atwood, has there been any figures supplied as to cost if we go along with the Governor's scheme of closing these centralized treatment places and start setting them up in different communities around the state? I have not seen any firm figures as to how many different places are contemplated. Have there been any figures or costs? What is the difference when we close, like Sedro Woolley, and then when we start putting them in different communities, has it been outlined how many are we going to have and what the cost factor? Does anybody know?"

Senator Atwood: "No, Senator, it has not. The state has told the communities, 'Get ready', and the communities are feverishly trying to get ready. Our area is particularly hard hit as is Senator Lowell Peterson's and Senator Wanamaker's and Senator Mardesich's areas. All of these areas are feverishly trying to prepare to meet these needs. And I have seen no figures. I have seen no over-all plan and as a matter of fact none of the local communities have had any word as to what they can expect in this area. The people from my area in the mental health field testified they thought they could meet the need. But now they are

feverishly trying to prepare. I object to this way of doing it. I think the department could ask what wherewithal they need in the local communities in all their areas. And most of these communities are not ready for this. In the area of alcoholism, we just delayed the date because the state does not have an over-all plan ready to implement that. I am very concerned in the area of the retarded, Senator. There is just no planning on the amounts of money it is going to take, or the number of group homes in all these areas, or the amounts of sheltered workshops in this area, and I have seen no over-all figures on what this over-all effort is going to mean in terms of dollars or even base programs and I think it is incumbent on the department to really get together with these local communities and start in earnest on these things."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Durkan yield? Senator Durkan, am I correct in what I have been hearing? I am not a member of the committee, of course. How many people are there and do we have any other facility ready where they go to if at the end of the biennium Sedro Woolley is closed?"

Senator Durkan: "The positions and the money, Senator, have been built into Western and those at Northern State Hospital will be transferred to Western."

Senator Talley: "I would suggest to Senator Woodall that he go down to some of these rest homes and he will see where these mental patients are going."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2800 and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—40.

Voting nay: Senators Fleming, Francis, Guess, Lewis (Harry), Metcalf, Murray, Woodall—7.

Excused: Senators Dore, Twigg—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Fleming: "Mr. President, I would like to take this time to explain the reason why I changed my vote after standing on the floor saying that I would vote for the measure. I did change my vote for the purpose of trying to get on the conference committee."

#### PERSONAL PRIVILEGE

Senator Greive: "And the reason I changed my vote was for the same reason. Once he changed his it was not necessary."

#### PERSONAL PRIVILEGE

Senator Durkan: "Mr. Chairman, I would like to thank the members of the Ways and Means Committee for the hard work they put in on this. I would also like to thank my two vice chairmen because really they did the work. Particularly Senator Odegaard who has been diligently chairing these joint hearings. He is to be congratulated. We feel that he has got great potential and in about twenty years there will be room for him. But more than that,



Mr. President, and I think it has been clearly demonstrated as to the effectiveness of the Legislative Budget Committee staff, without their help in directing the activities of both the Senate and House Ways and Means Committee staff, we would not have been able to proceed as we did. If there is any one thing that should lend a strong support of this legislature toward increasing the strength and the availability for the Legislative Budget Committee, it is the manner in which they operated on this. I think they have done an excellent job, and in conclusion I would like to thank you for the vote. I think it is indicative that we can take segments of the budget and do things and pass it and continue with our work. It to me is gratifying."

## SECOND READING

SENATE BILL NO. 2378, by Senators Walgren, Guess and Stortini (by Department of Highways request):

Providing for the sale of certain property held by the highway department.

The Senate resumed consideration of Senate Bill No. 2378 and the pending amendment by Senator Bottiger and the amendment to the amendment by Senator Washington from Friday, February 16, 1973.

## MOTION

On motion of Senator Washington, the Senate commenced consideration of the following amendment by Senators Washington and Woodall:

Senator Washington moved adoption of the following amendment by Senators Washington and Woodall:

On page 1, section 1, line 23, after "sale" strike the semicolon and insert "in the following manner: By posting a written notice particularly describing the property to be sold and the time and place of the sale, in three public places in the county where the sale is to take place, for a period of not less than four weeks prior to the date of the proposed sale. Further, there shall be notice of the proposed sale published in a display advertisement of no less than two column by two inch or one column by four inch size in any daily or weekly legal newspaper of general circulation published in the county in which the real property to be sold is situated. This advertisement shall appear in the legal notices section and the real estate classified section. This publication shall appear for a period of not less than four weeks prior to the proposed sale and the notice shall particularly describe the property to be sold and the time and place of the proposed sale: PROVIDED, That if there is no legal newspaper published in this county, then such notice shall be published in the legal newspaper published in this state nearest to the place of sale".

The motion carried and the amendment by Senators Washington and Woodall was adopted.

The amendment by Senator Washington to the amendment by Senator Bottiger moved for adoption on Friday, February 16, 1973 was adopted on a rising vote.

The amendment by Senator Bottiger, as amended by Senator Washington, was adopted.

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2378 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2378, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison,

Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Guess—1.

Excused: Senators Dore, Twigg—2.

ENGROSSED SENATE BILL NO. 2378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr:  
Licensing journeymen electricians.

The Senate resumed consideration of Senate Bill No. 2183, as amended.

On motion of Senator Lewis (Harry), the amendment moved for adoption on Friday, February 16, 1973 was withdrawn.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 7, section 14, line 9, strike "maintenance".

#### MOTION FOR RECONSIDERATION

Senator Bailey moved that the Senate reconsider the vote by which the amendment by Senator Bailey to page 3, section 6, line 26 was adopted on Friday, February 16, 1973.

The motion carried.

Senator Bailey moved adoption of the following amendment:

On page 3, section 6, line 26, after "certificate" and before the period insert "":  
PROVIDED, HOWEVER, That any person, firm or corporation, licensed and bonded pursuant to the provisions of RCW 19.28.120 shall not be assessed and shall not be required to pay the annual renewal fee or take the examination for certification of competency".

On motion of Senator Bailey, the following amendment to the amendment was adopted:

Amend the Bailey amendment to page 3, section 6, line 26, as follows: On the seventh line of the amendment, after "fee" and before "for" on line 8, strike "or take the examination".

The motion by Senator Bailey carried and the amendment, as amended, was adopted.

Senator Stender moved adoption of the following amendment:

On page 6, section 13, line 21, after "chapter" and before the period insert "":  
PROVIDED, That in the administration of this act the director shall not enter any controversy arising over work assignments with respect to the trades involved in the construction industry".

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Stender yield? Senator Stender, the thing that is bothering me about your amendment perhaps could best be put by way of an example. What if two trades enter into a controversy, one trade takes the position that a job is not an electrician's job and happens to prevail and at the same time the department has classified that as electrical work under this bill, we would be in the position of having the trades having agreed that it is not electrical work and the department holding that it is electrical work under this bill and it would be an impossible situation?"

Senator Stender: "I am not so sure that the hypothetical analogy that you mention would ever come about. The question of whether or not it is electrical work is not the question that is involved. That particular question would be determined at the outset of the job when the assignment of work was made. In other words, if there are differences between a couple of trades with regard to certain phases of the work, those then of course are separated and the parties confer separately in regard to those particular differences. If they cannot agree the contractor, by virtue of the rules of the National Joint Board, must make

an assignment based on jurisdictional agreements or practices within the industry or in the trade over the country. Once that is done the contractor is obligated to carry that assignment out until he is directed otherwise, either by the two disputing unions or by the authority of the National Joint Board for settlement of jurisdictional disputes. And to overlay a state law onto this procedure, they are just completely out of context with what is being done in the industry. Now in this case, if this work was clearly electrical work that is involved in, then of course the contractor on his staff is going to have electricians. He is not going to put blacksmiths on electrical work. The fact of the matter involved with welding of steel rods between two bars is what it amounted to and it required a welder, not an electrician, to weld those. And of course that just happens to be this particular dispute."

#### POINT OF INQUIRY

Senator Talley: "Would Senator Mardesich yield to a question? Is this explanation completely clear to you now?"

Senator Mardesich: "I am more confused than ever."

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Stender yield to a question? Senator Stender, I am concerned about your amendment as it might affect the powers of Labor and Industry in their assigned responsibility in arbitration. In another section they can be invited in to settle disputes in industry and it appears that your amendment might strike that power in any controversy arising over work assignments. I do not have the other statutes but I have the caucus attorney talking to Labor and Industries now. Have you checked to see that this will not affect that area?"

Senator Stender: "Senator, you are talking about state employees and this is not state employees. This is in the construction industry. The Department of Labor and Industries has no powers at all to enter in the jurisdictional disputes between the trades and the construction industry. This is under the National Labor Relations Board."

Debate ensued.

The motion by Senator Stender carried and the amendment was adopted.

On motion of Senator Greive, the following amendment by Senator Durkan was adopted:

On page 7, after section 16, add a new section as follows:

"*NEW SECTION.* Sec. 17. This bill shall not take effect until the funds necessary for its implementation have been specifically appropriated by the legislature and such appropriation itself has become law. It is the intention of the legislature that if the governor shall veto this section or any item thereof, none of the provisions of this bill shall take effect."

On motion of Senator Talley, the following amendment was adopted:

On page 7, section 16, line 22, after "Title" and before "RCW" strike "19" and insert "18".

On motion of Senator Talley, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "RCW" and before the period insert "; prescribing penalties; and creating a new section".

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 2183 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Francis: "Mr. President, I wonder if Senator Greive would yield to a question? Senator Greive, I am reading on page two, line sixteen which says: 'To be eligible to take the examination the applicant must have worked as an apprentice electrician for four years or shall furnish written evidence that he has had at least four years practical experience in wiring for the installation of electrical equipment of light, heat and power'. Now I am

wondering by this act are we in some way locking into law a union apprenticeship program and in effect are we doing perhaps what Senator Guess is saying, screening out people and letting somebody decide by quotas or some other way whether or not people are going to be able to become electricians?"

Senator Greive: "No, I do not believe we are. I think we have got this problem in any kind of a craft whether it be an engineer or a lawyer, a doctor or an electrician or anybody that has a skilled craft. You have to have some sort of a requirement so you can be sure that the person has, in addition to the ability to pass a written examination, some practical experience. And that is all that this demands. It does not argue about where he gets his experience. It does not even require that it be done in the state of Washington. It merely requires that he have some practical experience in addition to the written examination and I think all of us would be for that."

#### POINT OF INQUIRY

Senator Clarke: "Would Senator Guess yield? Senator Guess, what concerns me about this bill is a situation, and I will give you an illustration. I have a small contractor that I call in on occasion to do some remodeling work on my house and he and his partner do substantially all of the work. Now in connection with that work he does a little wiring, a little plumbing and things of that nature. Now if this and the plumbing bill were to pass, would this mean from a practical standpoint that instead of that contractor being able to do the work that I want him to do, it would be necessary for him to have a separate licensed electrician and a separate licensed plumber?"

Senator Guess: "Senator Clarke, if the person in question does this work for you for money, and I would assume that the way you described it he does, then he will be required to (1) either be licensed himself or to bring on the job a licensed journeyman plumber or electrician. He will no longer be able to pursue his occupation as he has in the past. This will mean that he will have to cut down on his earnings in order to spread the earnings of his firm to satisfy the requirements of this law."

Senator Greive demanded a Call of the Senate and the demand was not sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2183 and the bill failed to pass the Senate by the following vote: Yeas, 19; nays, 26; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Marsh, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Walgren—19.

Voting nay: Senators Atwood, Canfield, Clarke, Day, Donohue, Fleming, Francis, Gardner, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Scott, Sellar, Wanamaker, Washington, Whetzel, Woodall, Woody—26.

Absent or not voting: Senators Durkan, Rasmussen—2.

Excused: Senators Dore, Twigg—2.

ENGROSSED SENATE BILL NO. 2183, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Greive served notice that he would, on the next working day, move that the Senate reconsider the vote by which Engrossed Senate Bill No. 2183 failed to pass the Senate.

#### PARLIAMENTARY INQUIRY

Senator Atwood: "Is this subject to the cut off of Senate consideration of Senate bills on Monday?"

## REPLY BY THE PRESIDENT

The President: "In reply to the inquiry by Senator Atwood, House Concurrent Resolution No. 10 states that commencing at 4:00 p.m. on the forty-third day of the regular session, except for appropriation and revenue bills, the Senate will only consider House bills and the House will only consider Senate bills. The only measures that could be considered other than House bills during that period of time would be appropriation and revenue measures."

## MOTIONS

On motion of Senator Mardesich, Senate Joint Resolution No. 105 was ordered to hold its place on the second reading calendar for Monday, February 19, 1973.

At 4:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 5:00 p.m., Sunday, February 18, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FORTY-SECOND DAY

### EVENING SESSION

Senate Chamber, Olympia, Wash., Sunday, February 18, 1973.

The Senate was called to order at 5:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Durkan. On motion of Senator Mardesich, Senator Durkan was excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Bill Talley and Roberta Sneed, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD, THOU DOEST HOLD IN THE HOLLOW OF THY HAND THE DESTINY OF EACH OF US, BECAUSE OF THY PROVIDENTIAL CARE WE ARE HERE. LIKE THOSE WHO THROUGH AGES HAVE SOUGHT THY COUNSEL, SO WE COME ASKING THY HELP. QUICKEN OUR CONSCIENCES WITH THY HOLINESS, FEED OUR MINDS WITH THY TRUTH, PURGE OUR IMAGINATIONS WITH THY BEAUTY, AND FILL OUR LIVES WITH THY LOVE. HELP US TO DEVOTE OUR WILLS TO THY PURPOSE. THROUGH CHRIST OUR LORD. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

February 17, 1973.

SENATE BILL NO. 2045, providing for the determination of comparative negligence (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2046, repealing the host-guest statutes (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2144, regulating electronic surveillance of private communications (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 18, 1973.

SUBSTITUTE SENATE BILL NO. 2175, providing housing authority with additional powers to deal with the housing problems of the developmentally disabled and others (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Second Substitute Senate Bill No. 2175 be substituted therefor and the second substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2224, providing for collective bargaining for educational employees of institutions of higher education (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2270, allowing court to stay order declaring a person an habitual traffic offender if due to alcoholism and person is receiving treatment (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2276, prohibiting discrimination in employment because of physical handicap (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2288, repealing records deposit requirement (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2290, requiring that judgments in small claims courts be registered automatically for enforcement in justice court if the judgment remains unpaid for twenty days (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2336, providing procedures for civil commitment (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2336 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 18, 1973.

SENATE BILL NO. 2398, providing for urinalysis to determine if a person has been driving while under the influence of a drug (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2407, establishing a higher education assistance authority and setting out its powers, duties and functions (reported by Committee on Higher Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2407 be substituted therefor and the substitute bill do pass, and be referred to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

There being no objection, Senate Bill No. 2407 was referred to the Committee on Ways and Means.

February 17, 1973.

SENATE BILL NO. 2416, implementing the law relating to motor vehicle theft (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2459, providing for rights of parents of illegitimate children as to certain domestic relations proceedings (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2502, implementing HJR 61 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Van Hollebeke.

Passed to Committee on Rules for second reading.

February 18, 1973.

SENATE BILL NO. 2643, permitting bank holding companies to acquire 100% control of one bank, but no more than 25% of more than one bank (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Jones, Keefe, Mardesich.

Passed to Committee on Rules for second reading.



February 17, 1973.

SENATE BILL NO. 2659, providing certain disability benefits for state patrol officers (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

February 17, 1973.

SENATE BILL NO. 2668, permitting housing authorities to make certain elections under unemployment compensation laws (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

February 18, 1973.

SENATE BILL NO. 2675, revising the laws regulating chiropractic (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

February 17, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 69,

ENGROSSED HOUSE BILL NO. 87,

ENGROSSED HOUSE BILL NO. 114,

HOUSE BILL NO. 138,

ENGROSSED HOUSE BILL NO. 149,

HOUSE BILL NO. 224,

ENGROSSED HOUSE BILL NO. 240,

HOUSE BILL NO. 287,

HOUSE BILL NO. 304,

HOUSE BILL NO. 321,

ENGROSSED HOUSE BILL NO. 324,

HOUSE BILL NO. 452,

HOUSE JOINT MEMORIAL NO. 9, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 17, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 18,

HOUSE BILL NO. 195,

HOUSE BILL NO. 238, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 17, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 17, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2079,

SENATE BILL NO. 2089, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 69, by Representatives Kopet, Curtis, Barden and Polk (by Legislative Budget Committee request):

Repealing authorization for land reclamation tax levy.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 87, by Representatives Thompson, Curtis, Chatalas and Matthews (by Legislative Budget Committee request):

Eliminating motor vehicle fuel tax refunds presently available for watercraft in this state.

Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 114, by Representatives Flanagan, Moon, Bagnariol, Williams, Randall and Erickson (by Permanent Property Tax Committee request):

Amending the law regarding formal and informal hearings before the state board of tax appeals.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 138, by Representatives Kilbury and Kopet:

Changing the rate of interest on delinquent property taxes from a variable rate to a uniform rate.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 149, by Representatives Bender, Clemente, Parker, Fortson, Eng, Charnley, Erickson and Maxie:

Providing a voter's pamphlet to each person requesting an absentee ballot.

Referred to Committee on Constitution and Elections.

HOUSE BILL NO. 224, by Representatives Hurley, Paris and Knowles (by Legislative Council request):

Making certain changes in the executive conflict of interest act.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 240, by Representatives Rabel, Douthwaite, Swayze, Randall, Kraabel, Blair, Bluechel, Goltz, Brown, Ceccarelli, Charnley, Chatalas, Williams, Bausch, Adams and Perry (by Executive and Secretary of State request):

Lowering legal age for use of alcoholic beverage.

Referred to Committee on Rules.

HOUSE BILL NO. 287, by Representatives Charette, Newhouse and Bauer:

Providing for payment of substitutes for certain certificated personnel.

Referred to Committee on Education.

HOUSE BILL NO. 304, by Representatives Chatalas, Bluechel and North (Frances):

Changing law respecting school district's contribution for insurance and protection of board members, employees, etc.

Referred to Committee on Education.

HOUSE BILL NO. 321, by Representatives Charette, King, Kilbury, Maxie, Douthwaite, Ehlers, Valle, Fortson, Gallagher, Julin, Swayze, Morrison, Newhouse, Rabel, Benitz, Brown, Hayner, Eikenberry, Hendricks, Cunningham, Tilly and Pardini:

Providing for a limitation on the private practice of law by an attorney general or any of his assistants.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 324, by Representatives Kopet, Shinpoch, Morrison and Curtis:

Regulating recommendations for changes in state budget accounting methods.  
Referred to Committee on Ways and Means.

HOUSE BILL NO. 452, by Representatives Jueling, Smith, Paris, Savage, Gilleland, Blair, Hansey, Tilly, Curtis, Rabel and Leckenby (by Executive request):

Enacting the Washington industrial safety and health act of 1973.  
Referred to Committee on Labor.

HOUSE JOINT MEMORIAL NO. 9, by Representatives Parker, Cunningham, Wilson and Warnke (by Secretary of State request):

Requesting to the Congress to help Dr. Pat Smith continue her program in Vietnam.  
Referred to Committee on Social and Health Services.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 18,  
HOUSE BILL NO. 195,  
HOUSE BILL NO. 238,  
HOUSE CONCURRENT RESOLUTION NO. 9.

MOTION

At 5:15 p.m., on motion of Senator Bailey, the Senate recessed until 6:25 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 6:25 p.m.

SECOND READING

SENATE BILL NO. 2025, by Senator Walgren:

Changing the amount of money which may be disbursed in the case of a death of a resident at a state institution.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 2025 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2025, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senators Newschwander, Whetzel—2.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2025, having received the 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 Senator Day, the Senate resumed consideration of Substitute Senate Bill No. 2066 on second reading.

SUBSTITUTE SENATE BILL NO. 2066, by Committee on Ways and Means (originally sponsored by Senators Durkan, Newschwander, Gardner, Marsh and Canfield—by Legislative Budget Committee request):

Modifying insurance programs for state employees and expanding the state employees' insurance board.

The following amendment by Senator Newschwander which was moved for adoption on Friday, February 16, 1973 was adopted:

On page 3, section 1, line 9, after "18.25," insert "18.32,".

On motion of Senator Day, the following amendment was adopted:

On page 3, section 1(2), beginning on line 10, after "RCW:" strike all the material down to and including "otherwise:" on line 17.

On motion of Senator Day, the following amendment by Senators Durkan and Day was adopted:

On page 4, section 2, line 20, after "care" and before "plans" insert "and other insurance"

On motion of Senator Wanamaker, the following amendment was adopted:

On page 5, section 3, line 17, after "funds" and before the colon insert "as specifically appropriated by the legislature for that purpose"

On motion of Senator Day, the following amendment was adopted:

On page 9, beginning on line 30, strike all of section 11.

On motion of Senator Day, the following amendment by Senator Durkan was adopted:

On page 10, after section 11, add a new section as follows:

"NEW SECTION. Sec. . . . This bill shall not take effect until the funds necessary for its implementation have been specifically appropriated by the legislature and such appropriation itself has become law. It is the intention of the legislature that if the governor shall veto this section or any item thereof, none of the provisions of this bill shall take effect."

On motion of Senator Day, the following amendment by Senators Day and Rasmussen was adopted:

On page 9, section 9, beginning on line 22, strike all of section 9 and renumber the remaining sections.

Senator Day moved adoption of the following amendment to the title:

On page 1, line 17 of the title, after "RCW 41.06.370;" insert "and creating a new section" and strike "and declaring an emergency"

## POINT OF INQUIRY

Senator Mardesich: "With the addition of the Durkan-Day amendment, is it possible to have an emergency clause? Are they not contradictory?"

Senator Day: "Well, it would take effect immediately predicated on a legislative appropriation."

On motion of Senator Day, the rules were suspended, Engrossed Substitute Senate Bill No. 2066 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2066, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senators Walgren, Whetzel—2.

Excused: Senators Dore, Durkan—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, having received the 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 INQUIRY

Senator Woodall: "Would Senator Mardesich yield? Senator Mardesich, we had a meeting of the Rules Committee and we put out a consent calendar that we were going to meet and run through. We wasted some time caucusing. Are we going to complete the consent calendar or do our other bills have to wait the completion or will the rest of us be able to pick and choose some of our bills that are further down the line and bring them up?"

Senator Mardesich: "Senator Woodall, as far as I am concerned I am going to vote against any other motion to move any further bills around on this calendar."

#### MOTION

On motion of Senator Atwood, Senate Bill No. 2107 was re-referred to the Committee on Rules.

#### SECOND READING

SENATE BILL NO. 2109, by Senators Gardner, Atwood and Marsh (by Legislative Budget Committee request):

Providing procedures for advance payment of services rendered to the state.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, Senate Bill No. 2109 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2109, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2169, by Senators Francis and Clarke (by Judicial Council request):

Providing that the annual conference of judges may be held outside the state.

## REPORT OF STANDING COMMITTEE

February 2, 1973.

SENATE BILL NO. 2169, providing that the annual conference of judges may be held outside of the state (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15, after "chapter" and before the period insert "*PROVIDED, That should such conference be held outside the state of Washington there shall be no such entitlement for reimbursement for expenses*"

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Greive, Van Hollebeke, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

## MOTION

Senator Rasmussen moved that Senate Bill No. 2169, as amended, be re-referred to the Committee on Rules.

Debate ensued.

The motion by Senator Rasmussen carried. Senate Bill No. 2169, as amended, was re-referred to the Committee on Rules.

## SECOND READING

SENATE BILL NO. 2253, by Senators Francis and Woody (by Secretary of State request):

Authorizing filing of annual report by domestic and foreign corporations which substantially complies with statute.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2253 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2253, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2253, having received the 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. 2257, by Senators Francis, Bottiger and Clarke (by Secretary of State request):

Increasing filing costs from two to five dollars under the nonresident motor vehicle law.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Senate Bill No. 2257 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2257, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2257, having received the 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. 2258, by Senators Francis, Bottiger and Clarke (by Secretary of State request):

Changing the date for filing of annual reports by miscellaneous and mutual corporations to March first of each year.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2258 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2258, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2258, having received the 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. 2293, by Senators Francis, Peterson (Ted) and Connor:

Enlarging scope for investments under the Refunding Bond Act.

The bill was read the second time by sections.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Bill No. 2293 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2293, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2293, having received the 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 Senator Mardesich, Senate Bill No. 2317 was ordered placed at the beginning of the second reading calendar for Monday, February 19, 1973.

#### SECOND READING

SENATE BILL NO. 2341, by Senators Bailey and Rasmussen (by State Auditor request):

Transferring certain statutory duties of the state auditor.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 2341 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2341, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2341, having received the 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. 2358, by Senators Ridder, Connor and Metcalf:

Permitting public employees' retirement system contributions for classified employees working on nine month basis as if they were working twelve months.

#### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2358, permitting public employees' retirement system contributions for classified employees working on nine month basis as if they were working twelve months (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

In section 1, line 7, after "board," strike the remainder of the section and insert "contributions to the retirement system relating to any classified employee of a school district actually employed by the district on a continuous nine month basis shall be pro-rated on a twelve month basis and counted in the computation of any retirement allowance or other benefits provided for in this chapter as for twelve months of service."

Signed by: Senators Gardner, Chairman; Bottiger, Odegaard, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

On motion of Senator Ridder, the rules were suspended, Engrossed Senate Bill No. 2358 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.



POINT OF INQUIRY

Senator Whetzel: "Does the amendment we adopted deal with the contributions by the employee also? What I am concerned about in the situation, if you are handling the contributions on a twelve month basis and maybe the teacher's contract is not renewed over the summer . . ."

Senator Ridder: "This has nothing to do with teachers. It is just classified."

Senator Whetzel: "Are they employed on a twelve month basis or are they also off during the summertime?"

Senator Ridder: "Some work nine months and some ten months."

Senator Whetzel: "After they leave in the summertime would we miss collecting the employee's contributions? I guess that is what I am trying to get at."

Senator Ridder: "No, this would be done exactly as they do the teachers today. They have a nine month contract but the contract is prorated over twelve months so everything is taken out on a twelve month basis."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2358, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

ENGROSSED SENATE BILL NO. 2358, having received the 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. 2360, by Senators Bailey and Rasmussen (by State Auditor request):

Providing for the transfer of certain duties and functions of the state auditor.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 2360 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2360, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2391, by Senators Ridder, Stortini and Murray:

Reconciling certain double amendments and conflicting provisions in education code.  
The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Senate Bill No. 2391 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2391, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2391, having received the 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. 2400, by Senators Francis and Woody (by Secretary of State request):

Raising service of process fee for nonresident corporation doing business in Washington from two to five dollars.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 2400 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2400, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2400, having received the 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. 2456, by Senators Washington, Guess and Henry:  
Providing uniformity of definition relating to motor vehicle laws.

## REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2456, providing uniformity of definition relating to motor vehicle laws (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 18, after "*maintained*" and before "*when*" insert "*by the state department of highways or any county or city*"

On page 6, section 3, line 30, after "*maintained*" insert "*by the state department of highways or any county or city*"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Rasmussen, Sellar, Talley, Wanamaker, Washington.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

Senator Walgren moved that the rules be suspended and Senate Bill No. 2456 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

On motion of Senator Whetzel, Senate Bill No. 2456, together with the adopted committee amendments, was ordered to hold its place on the second reading calendar for Monday, February 19, 1973.

### SECOND READING

SENATE BILL NO. 2508, by Senators Peterson (Lowell), Mardesich and Lewis (Harry):

Permitting disposition of certain property to the federal government.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 2508 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2508, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

Amending provisions regarding state highway routes.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 2522 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2522, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2522, having received the 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. 2532, by Senator Twigg:

Changing rate of public utility tax imposed upon storage warehouse businesses.

#### MOTION

On motion of Senator Twigg, Senate Bill No. 2532 was re-referred to the Committee on Ways and Means.

SENATE BILL NO. 2559, by Senators Sandison and Donohue:

Relating to fairground capital improvements.

#### REPORT OF STANDING COMMITTEE

February 15, 1973.

SENATE BILL NO. 2559, relating to fairground capital improvements (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 7, after "*property*" and before "*from*" strike "*for a long term*".

Signed by: Senators Jolly, Chairman; Donohue, Sellar, Twigg, Washington.

The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendment was adopted.

Senator Canfield moved adoption of the following amendment:

On page 1, section 1, line 7, after "*property*" and before "*from*" strike "*for a long term*".

#### POINT OF INQUIRY

Senator Mardesich: "Mr. President, would Senator Canfield yield to a question? Senator Canfield, under the wording of this amendment it simply states that such leasehold and such leased property shall be exempt from taxation. The implication is that it is during the term of the lease but that is not explicit."

Senator Canfield: "I would take it that if it is leased that it would be in effect only during the term of the lease."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Canfield yield to a question? Senator Canfield, your amendment reads, 'and in the event such property and capital improvements are leased to any organization,' is there any way that you could tighten that down rather than to any organization? An organization might conduct an agricultural fair purely as a side line or a front for operating something else, and it would be part of it. The way that is worded, any organization could say, 'Well, I am conducting an agricultural fair.'"

Senator Canfield: "Gentlemen of the Senate and Senator Rasmussen, you will notice if you read on, 'pursuant to chapter 15.76' which is the agricultural fairs chapter which permits the operation of the fairs in the state under the fairs program. So it is pinpointed exactly."

Debate ensued.

The motion by Senator Canfield carried and the amendment was adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 2559 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2559, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senators Grant, Whetzel—2.

Excused: Senators Dore, Durkan—2.

ENGROSSED SENATE BILL NO. 2559, having received the 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. 2568, by Senator Gardner (by Washington State Superintendent of Public Instruction request):

Authorizing second class school districts to draw and issue their own warrants.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, Senate Bill No. 2568 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2568, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Mardesich—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2568, having received the 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. 102, by Senators Atwood, Newschwander and Day: Requesting congress to allow federally-related public assistance mail to be sent under frank or at negotiated rates.

The memorial was read the second time in full.

On motion of Senator Atwood, the rules were suspended, Senate Joint Memorial No. 102 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

## POINT OF INQUIRY

Senator Fleming: "Would Senator Atwood yield to a question? You said that this was an idea submitted to the department. Why is not this a departmental request?"

Senator Atwood: "It was an employee, I do not know what the department did about it. I just thought it was a whale of an idea and I put it into this form."

Senator Fleming: "I did not know whether they had objections to it . . . ."

Senator Atwood: "No, not as far as I know. Senator Day could answer that because he had the committee, but I do not think there is any objection from the department on this."

Senator Fleming: "I am just wondering because it was suggested to them why they did not do this themselves."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 102, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Durkan—2.

SENATE JOINT MEMORIAL NO. 102, having received the constitutional majority, was declared passed.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Greive moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 2183 failed to pass the Senate.

Debate ensued.

There being no objection, the Senate advanced to the eighth order of business.

## MOTION

Senator Lewis (Harry) moved that the motion for reconsideration be considered as the first order of business on Monday, February 19, 1973.

## POINT OF ORDER

Senator Greive: "Under Rule 21, I think it is pretty obvious that you cannot do much with a motion to reconsider. It is the number two motion and the only motion that outranks it is the motion to adjourn."

Debate ensued.

## RULING BY THE PRESIDENT

The President: "Senator Greive, in ruling upon your point of order, the President believes that Senator Lewis's (Harry) motion is in order and that the measure could be put over until tomorrow morning if the Senate so decides."

## REMARKS BY SENATOR GREIVE

Senator Greive: "If you will look at Rule 21 which rates the motions, you will find that a motion to postpone to a time certain is third under subsidiary motions, where a motion to reconsider is second under privileged motions. Now I do not know how under

any circumstances you could, looking at Rule 21, rule that a motion to postpone could in any way take precedence over a motion to reconsider."

REMARKS BY SENATOR LEWIS

Senator Lewis (Harry): "Mr. President, I believe that Senator Greive is correct as to his point. However, the motion before us is not the motion to reconsider and so therefore his argument is not valid and I believe that you did rule correctly."

RULING BY THE PRESIDENT

The President: "The President believes that the point is not as to the position. The President believes an incidental motion could be placed in regard to a privileged motion. Senator Greive, the Secretary has reminded the President that on the measure to loan the state's credit that you yourself had that measure held over for several days."

Further debate ensued.

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Greive will refer to Senate Rule 31, 'A motion to reconsider shall have precedence over every other motion, except a motion to adjourn'. The President believes that this fits this particular situation and that Senator Greive's point is well taken."

Senators Greive, Washington and Ridder demanded a Call of the Senate. The demand was not sustained.

There being no objection, the motion by Senator Lewis (Harry) to consider the motion for reconsideration on Monday, February 19, 1973 was withdrawn.

Senator Greive demanded a roll call on the motion for reconsideration and the demand was sustained by Senators Greive, Washington, Van Hollebeke, Herr, Talley, Knoblauch, Metcalf, Woody, Ridder and Connor.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion for reconsideration carried by the following vote: Yeas, 27; nays, 18; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Francis, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—27.

Voting nay: Senators Atwood, Canfield, Clarke, Fleming, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Rasmussen, Scott, Sellar, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senators Henry, Twigg—2.

Excused: Senators Dore, Durkan—2.

The motion for reconsideration carried.

MOTIONS

On motion of Senator Greive, the rules were suspended and Engrossed Senate Bill No. 2183 was returned to second reading.

On motion of Senator Gardner, the following amendment was adopted:

On page 2, section 4, line 18 of the printed bill, being line 24 of the engrossed bill, after "act" and before "for four" insert "or have satisfactorily attended for up to a maximum of two years an accredited vocational or technical school program related to the electrical trade" and after "for" and before "four years" insert "a combined total of".

Senator Lewis (Harry) moved adoption of the following amendment:

On page 2, section 3, line 7, strike the period and insert “: PROVIDED, That completion of a course of study in the electrical trade at an accredited school shall constitute sufficient evidence of experience and competency to enable such person to make application for a certificate of competency.”

#### PARLIAMENTARY INQUIRY

Senator Lewis (Harry): “Mr. President, would a motion to put over further consideration until tomorrow be in order at this time for this motion pending?”

#### REPLY BY THE PRESIDENT

The President: “The President in ruling upon the query, rules that a motion would be in order.”

Debate ensued.

#### POINT OF INQUIRY

Senator Fleming: “Mr. President, would Senator Mardesich yield to a question? Senator, is there any indication of how long we are going to be going tonight?”

Senator Mardesich: “If we keep fooling around here the way we are we will be here until midnight.”

Senator Fleming: “I do not have any place to go.”

Senator Mardesich: “I intend to finish this calendar.”

Senator Fleming: “You do? Okay.”

#### MOTION

On motion of Senator Fleming, Engrossed Senate Bill No. 2183 was ordered placed at the end of today’s second reading calendar.

#### SECOND READING

SENATE BILL NO. 2432, by Senators Walgren, Guess, Metcalf and Matson:

Regulating sale and transfer of devices adapted for the use of drugs by injection.

The Senate resumed consideration of Senate Bill No. 2432, as amended and the amendment by Senators Bottiger and Donohue to page 2, line 3 which was moved for adoption on Friday, February 16, 1973.

The motion carried and the amendment was adopted.

On motion of Senator Guess, the rules were suspended, Engrossed Senate Bill No. 2432 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

Senator Ridder moved that Engrossed Senate Bill No. 2432 be referred to the Senate Committee on Ways and Means.

Debate ensued.

#### POINT OF INQUIRY

Senator Atwood: “Mr. President, will Senator Walgren yield? Was there a fiscal note prepared with this bill?”

Senator Walgren: “I do not know. Senator Day might be able to answer that.”

Senator Atwood: “Apparently Senator Ridder has raised the point, along with his motion, that this bill will entail additional costs in terms of man years and we just heard the



Department of Pharmacy here the other day. Maybe we have not heard them yet. Senator Guess, is there going to be an additional cost entailed if this function is given to the department or Board of Pharmacy?"

Senator Guess: "Senator Atwood, the Board of Pharmacy appeared over at a committee meeting and I talked to them for fifteen or twenty minutes afterwards. I asked them how they would enforce the thing and how the job would be done. They said that they will make the same type of lists available and put them in the drugstores as are already there. They will just furnish them more copies of it. Yes, the cost of paper that the form will be printed on to go into the drugstores to be signed where the signing will be taking place is a very minor amount of money. Now the fiscal impact is negligible, absolutely negligible, and I think this is another bogymen that is being raised at the bill."

MOTION

Senator Talley moved that the motion by Senator Ridder be laid upon the table. Senator Ridder demanded a roll call and the demand was not sustained. The motion by Senator Talley failed on a rising vote.

MOTION

On motion of Senator Ridder, Engrossed Senate Bill No. 2432 was referred to the Senate Committee on Ways and Means.

MOTION

On motion of Senator Atwood, Senate Bill No. 2216 was ordered to hold its place on the second reading calendar for Monday, February 19, 1973.

SECOND READING

SENATE BILL NO. 2321, by Senators Fleming, Matson and Grant:

Providing that school districts shall elect to cover services of employees under unemployment compensation.

REPORT OF STANDING COMMITTEE

February 9, 1973

SENATE BILL NO. 2321, providing that school districts shall elect to cover services of employees under unemployment compensation (reported by Committee on Labor):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8, strike "July 1" and insert "September 30".

On page 1, section 1, line 10, after "RCW 50.44.040" and before the period insert "PROVIDED, HOWEVER, That any employee of a school district receiving payments under contract shall be deemed employed and not eligible for benefits until the expiration of said contract".

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder, Stender.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendments were adopted.

MOTIONS

On motion of Senator Mardesich, the rules were suspended, Engrossed Senate Bill No. 2321 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Mardesich, Engrossed Senate Bill No. 2321 was ordered placed on the third reading calendar for Monday, February 19, 1973.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2294 was ordered to hold its place on the second reading calendar for Monday, February 19, 1973.

## SECOND READING

SENATE BILL NO. 2329, by Senators Atwood and Mardesich:

Providing for changes in the legal services revolving fund.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 2329 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Greive: "I was attempting to get the floor before that motion was made to ask Senator Atwood if he would yield to a question. Senator, I was attempting to, and I have not given it a careful perusal, but attempting to ferret out before a move to advance this, just what this bill did. I do not think I object to it but I do not understand it. I was asking our caucus and nobody could explain it."

Senator Atwood: "During the interim period the Budget Committee took a look at these revolving funds. If you recall earlier, the General Administration's revolving fund had a ceiling put on it. This bill puts a ceiling on what the Attorney General can charge, it makes it actual costs. And they have now developed a cost table for all of the various agencies they are billing. If you will take a close look at it, it also says that the billings must be made once within every six months or quarterly and it must go through the revolving fund. We got a lot of complaints during the interim of people getting horrendous bills for attorney fees. I think the Lieutenant Governor got one for use of the Attorney General. We do not get charged by that revolving fund but all the colleges and universities that do not have full time AG's on their staff get huge bills now, and this bill puts a cap on what he can charge and how the charge is to be handled."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Atwood further yield? Is there any provision to get a refund in case you get bum advice?"

Senator Atwood: "Well, I think we might set up a procedure where you can sue and get some back from the revolving fund."

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2329, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Walgren—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2329, having received the 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. 2552, by Senators Walgren, Wanamaker and Sandison:

Authorizing continued support of the Puget Sound reserve account.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 2552 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Jolly: "Would Senator Walgren yield? Senator Walgren, it is my understanding that this bill does not change the present formula. Is this correct?"

Senator Walgren: "That is correct."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2552, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Excused: Senators Dore, Durkan-2.

SENATE BILL NO. 2552, having received the 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. 2113, by Senators Day, Keefe and Murray:

Establishing a state hospital commission to study hospital costs and approve hospital rates.

MOTION

On motion of Senator Day, Substitute Senate Bill No. 2113 was substituted for Senate Bill No. 2113 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Day, the following amendments were adopted:

On page 2, section 4, line 28, after "individuals" and before the semicolon insert "PROVIDED, That when rate review and approval determination are to be made concerning osteopathic hospitals, the osteopath who is a member of the advisory committee shall sit on the commission in place of a practitioner who is not an osteopath".

On page 4, section 7, line 12 before "health" insert "hospital".

On page 5, section 8, line 9, after "members" insert "a chairman and".

On page 5, section 9, line 25, after "of" and before "health" insert "hospital".

On page 5, section 10, line 30, after "fields" insert "related to the functions of hospitals,".

On page 7, section 13, line 25, before "health" insert "hospital".

On motion of Senator Day, the following amendments to the title were adopted:

On page 1, line 1 of the title, after "Relating to" insert "hospital", and on line 2 of the title, after "RCW;" strike the remainder of the sentence and insert "defining crimes and prescribing penalties."

On motion of Senator Day, the rules were suspended, Engrossed Substitute Senate Bill No. 2113 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2113, and the bill passed the Senate by the following vote: Yeas, 39; nays, 7; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Van Hollebeke, Washington, Woodall, Woody—39.

Voting nay: Senators Bailey, Mardesich, Newschwander, Talley, Walgren, Wanamaker, Whetzel—7.

Absent or not voting: Senator Twigg—1.

Excused: Senators Dore, Durkan—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, having received the 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. 2340, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

Providing for adoption of rules and regulations of the department of fisheries according to the administrative procedure act.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 2340 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2340, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Twigg—1.

Excused: Senators Dore, Durkan—2.

SENATE BILL NO. 2340, having received the 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. 2345, by Senators Atwood, Durkan and Canfield:

Providing for a legislative auditor.

The bill was read the second time by sections.

On motion of Senator Whetzel, the following amendment was adopted:

On page 1, section 1, line 10, after "appoint" and before "a" insert " , with the consent of the senate,".

On motion of Senator Atwood, Engrossed Senate Bill No. 2345 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Stender: "Would Senator Atwood yield? Senator, I note in your remarks that you say the legislative auditor is limited to seven years. Is there some rationale that you could forward to that?"

Senator Atwood: "No, that was what the Hawaiian and Michigan statutes had. Our auditor talked to them. They thought it was a long enough period for any one man. This is a tough job. It is an arbitrary figure. You could have made it nine or five or four, but we just picked the seven because the other states were using that length of time."

## POINT OF INQUIRY

Senator Sandison: "Will Senator Atwood yield to a question? Senator, it struck me that if we have a man for seven years, he probably is going to spend seven years wherein he will have no retirement benefits accrue because he probably will not want to participate. What is planned along this line?"

Senator Atwood: "I cannot answer that because you are right, we would probably have trouble getting somebody. The salary on this job, though, is equivalent to the director of OPP&FM. So it is high enough so that that would be one of the major incentives to this job."

Senator Sandison: "It would have to be high."

## POINT OF INQUIRY

Senator Peterson (Lowell): "Senator Atwood, as prime sponsor of this bill I note that we appoint the legislative auditor. What effect in turn does this have on our auditor downstairs, Bob Graham?"

Senator Atwood: "It has no effect. Our auditor has performance audits only. We passed the performance audit bill here two years ago. Bob Graham will continue to be the auditor on the fiscal legal part of the budget expenditures. We do not intend to get into that field at all. We are strictly doing the performance audits and auditing the budget. We will do the management surveys which now are the performance audits that I am referring to."

Senator Peterson (Lowell): "Senator Atwood, the reason that my question is raised is that the auditor that we have now performs performance audits on our individual legislative committees. I had the authority as chairman of an interim committee from the auditor to expend some state funds out of the pre-existing committee. The auditor told me that I could expend these funds in the last biennium. I set up an interim committee office and staff, spent the money and the auditor then comes down and tells me that I made an illegal expenditure and I had basis in fact in his authority to expend these funds. Are we now getting into a different situation here which is going to be in conflict with the auditor's duties downstairs?"

Senator Atwood: "In answer to Senator Peterson's question, the auditor, Bob Graham, will continue to be the fiscal legal auditor of the state. The Budget Committee auditor does not now nor does he under this bill have the power to do the fiscal legal audit. That is what he was doing when he told you that you were expending funds illegally. Our auditor would never tell you that. All our auditor would do is say, 'You are doing a lousy job.' Our auditor is going to be evaluating a program and reporting whether it is good or no good or should be changed. But he will not be saying that expenditures you made are illegal or legal. That is Bob Graham's job. This bill does not change that in any way, shape or form. Two years ago Bob Graham did attempt to do some performance audits on legislative committees and that was the end of his performance audit function. But in any event, Senator, the legislative auditor will not be doing that type of an audit. That is Bob Graham's job."

Senator Peterson (Lowell): "Do I interpret your remarks to say then that the legislative auditor will be performing in an advisory function?"

Senator Atwood: "No. He will make recommendations to the legislature on whether the agency is doing its job or not but that is all. We will be the final arbiters of whether we wish to continue the program or discontinue it."

## POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Atwood yield? Senator Atwood, you would be hiring a very key and essential man for the legislature. It is extremely critical that the right man be selected. I wonder if you would comment on the intent of the hiring practice as you visualize it as far as a probationary period or other precautions are concerned."

Senator Atwood: "I would assume, Senator, that we would probably have not less than a six month probation period. He is now subject to Senate confirmation so with those two additional safeguards I would assume that we would have a probation period and the Senate would also have a chance to look at him."

## POINT OF INQUIRY

Senator Rasmussen: "Mr. President, will Senator Atwood yield to another question? Senator Atwood, there have been a number of queries about this seven year term. You have a six month probation and then freeze the man into a seven year term. This also is bad. People of equal importance like school superintendents get three year terms and things like that. I am all in accord with the internal auditor concept. I think he can do a wonderful job for the legislature, but I would hope that you would take out that once he is confirmed he is locked into his seven year term. Now what is the practice in general accounting in Washington, D.C.? Is he appointed for a four year term by the President?"

Senator Atwood: "The comptroller-general of the United States, I believe, is appointed by the President but he serves under Congress, I believe, and I do not know what the length of his term is. I think it changes with the presidency but I could be in error on that. Maybe Senator Bailey could answer that."

## REMARKS BY SENATOR ATWOOD

Senator Atwood: "Senator Rasmussen asked me about the comptroller-general of the United States. He is appointed for a term of fifteen years by the President and confirmed by the Senate. And both he and his assistant hold office for fifteen years and they are not eligible for reappointment. Neither one."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2345, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Knoblauch—1.

Absent or not voting: Senator Twigg—1.

Excused: Senators Dore, Durkan—2.

ENGROSSED SENATE BILL NO. 2345, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE CONCURRENT RESOLUTION NO. 104, by Senators Francis, Metcalf, Gardner and Murray (by Joint Committee on Education request):

Providing for development of a comprehensive plan for revision of the state's current school financing and distribution systems.

The resolution was read the second time in full.

Senator Gardner moved adoption of the following amendments in toto:

On page 1, line 21, after "Instruction" strike "is requested to" and insert "shall".

On page 1, beginning on line 26, strike all the material down to and including "disregarded." on page 2, line 1.

POINT OF INQUIRY

Senator Atwood: "Will Senator Gardner yield? It is the intent by this amendment that the superintendent from his own budget undertakes this study so there is no question in anybody's mind about this. I know he has about ten people over there doing it all the time anyway. But just so it is very clear that he is to continue to use his own funds to do this and not ask us for more."

Senator Gardner: "Yes, sir."

The motion by Senator Gardner carried and the amendments were adopted.

On motion of Senator Gardner, Engrossed Senate Concurrent Resolution No. 104 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Francis yield? Senator Francis, do you mean that we are asking the Superintendent of Public Instruction to do the job of the legislature, or is he just going to move dollars around that he has within his present budget?"

Senator Francis: "Neither one, Senator Rasmussen. We are asking that the method of distribution and financing of the schools be studied and a proposal be made. Of course the legislature is going to be the one to decide."

Senator Rasmussen: "It is not exactly clear to me what they are proposing. I see Senator Ridder has the answer."

Senator Ridder: "Senator Rasmussen, we in the Appropriations Committee have already heard a part of this proposal, a change in the formula, the idea of going back to unit cost and a generalized salary schedule for implementing staff weighting characteristics. These have come before us already and they look to be in good form. We are working on them and this is being implemented already."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 104, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 9; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—36.

Voting nay: Senators Clarke, Guess, Jones, Matson, Sellar, Stender, Wanamaker, Whetzel, Woodall—9.

Absent or not voting: Senators Atwood, Twigg—2.

Excused: Senators Dore, Durkan—2.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 104, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2453, by Senators Guess, Lewis (Harry) and Newschwander:  
Raising compensation of city councilmen in third and fourth class cities.

## REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2453, raising compensation of city councilmen in third and fourth class cities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, after "amount" and before "as" on line 17 strike "not exceeding twenty-five dollars per meeting for not more than two such meetings each month," and insert "[not exceeding twenty dollars per meeting for not more than two such meetings each month,]"

On page 2, section 2, line 5, after "salary" and before "as" on line 7 strike "not exceeding twenty-five dollars per meeting for not more than two council meetings per month" and insert "[not exceeding twenty dollars per meeting for not more than two council meetings per month]".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

The bill was read the second time by sections.

Senator Guess moved adoption of the committee amendment to page 1, section 1, line 16.

On motion of Senator Guess, the following amendment to the committee amendment was adopted:

Amend the committee amendment to page 1, section 1, line 16, as follows: After "month,]" insert "[as the city council may fix by ordinance] *which shall be fixed by ordinance and may be revised from time to time by ordinance, but any increase or reduction in the compensation attaching to an office shall not be applicable to the term then being served by the incumbent*".

The motion by Senator Guess carried and the committee amendment to page 1, section 1, line 16 as amended was adopted.

On motion of Senator Guess, the committee amendment to page 2, section 2, line 5 was adopted.

On motion of Senator Guess, the rules were suspended, Engrossed Senate Bill No. 2453 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2453, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Twigg—1.

Excused: Senators Dore, Durkan—2.

ENGROSSED SENATE BILL NO. 2453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

Provided for the regulation and licensing of plumbers.

The bill was read the second time by sections.

Senator Newschwander moved adoption of the following amendment:

On page 2, section 3, line 15, after "plumber" strike the period and insert: "PROVIDED, That completion of a course of study in the plumbing trade at an accredited



school shall constitute sufficient evidence of experience and competency to enable such person to make application for a certificate of competency."

Debate ensued.

POINT OF INQUIRY

Senator Greive: "Will Senator Newschwander yield to a question? Senator, would you have any objections to an amendment to your amendment which says, 'A study in a plumbing trade at an accredited school of three years duration or more shall constitute sufficient?' In other words, the point is do you want to fix it so some people can shorten the course or are we willing to give them the same period of time of instruction as the next person?"

Senator Newschwander: "I would be happy to answer that. In the vocational school in Tacoma we have no terms, years, semesters. You can start a course in April and as soon as you have attained a successful completion where they think that you are capable, then you are eligible. And so just to tie this thing down to three years, why slow a young man down if he has got the brains and the energy to get through the course in one year or one and one half years or whenever the school feels that he is capable?"

POINT OF INQUIRY

Senator Mardesich: "Will Senator Newschwander yield? Senator Newschwander, I think that Senator Greive does have a point. I think that I know what accredited means but I think that it might be clearer if we were to make that an accredited public school so that we would not have the correspondence type courses and that type of thing enter into this problem."

Senator Newschwander: "Senator Mardesich, Senator Gardner just came over to me and proposed the same correction. I said draw up an amendment if you wish so that it would definitely be tied to, say our community college system."

Senator Mardesich: "I think if you put public in there that would solve that problem." Further debate ensued.

Senator Guess moved that Senate Bill No. 2101 be held on the second reading calendar for Monday, February 19, 1973.

The motion failed on a rising vote.

Senator Ridder moved adoption of the following amendment:

On line 2 of the Newschwander amendment to page 2, section 3, line 15, after "trade" strike "at an accredited school" and insert "in the armed services of the United States or at a school accredited by the Coordinating Council on Occupational Education".

Debate ensued.

The motion carried and the amendment to the amendment by Senator Newschwander was adopted.

The amendment by Senator Newschwander, as amended, was adopted.

Senator Newschwander moved adoption of the following amendment:

On page 2, section 4, line 25, after "years" strike the period and insert "or have completed a course of study in the plumbing trade at an accredited school."

On motion of Senator Greive, the following amendment to the amendment by Senator Newschwander was adopted:

On line 2 of the Newschwander amendment to page 2, section 4, line 25, after "trade" strike "at an accredited school" and insert "in the armed services of the United States or at a school accredited by the Coordinating Council on Occupational Education".

The motion by Senator Newschwander carried and the amendment, as amended, was adopted.

On motion of Senator Newschwander, the following amendment was adopted:

On page 4, section 7, line 12, after "plumbing" and before "in" insert "as a journeyman plumber".

Senator Newschwander moved adoption of the following amendment:

.On page 4, section 7, line 13, after "sub-divisions" and before "without" insert "on any job or any employment".

#### POINT OF INQUIRY

Senator Woody: "Would Senator Newschwander yield? Senator Newschwander, by this amendment is there any intent that this would have any effect on the question of union jurisdiction or any other union involvement?"

Senator Newschwander: "Not to my knowledge."

#### POINT OF INQUIRY

Senator Grant: "Would Senator Newschwander yield? Senator Newschwander, I would like to ask the question a little more directly. By the insertion of this language, is it intended that anyone who has a certificate of competency can work on a job where a union security clause requires union membership without adhering to that union security clause?"

Senator Newschwander: "To my knowledge I would say no because you cannot go across—there would be a picket line up within ten minutes if this came out. If you are a journeyman plumber and if you want to go out and do a little job somewhere on your own then you can do it. Closed shop, a union shop, I do not think it would have any effect on."

Senator Grant: "That is not your intent then?"

Senator Newschwander: "No."

Debate ensued.

The motion by Senator Newschwander carried and the amendment was adopted.

On motion of Senator Grant, the following amendment was adopted:

On page 4, section 7, line 15, after "work" insert ": PROVIDED, HOWEVER, That this shall not preclude employees from adhering to a union security clause in any employment where such a requirement exists".

Senator Bailey moved adoption of the following amendment:

On page 4, section 8, line 16, after "examination" and before "shall" insert "or fee".

Debate ensued.

On motion of Senator Rasmussen, Senate Bill No. 2101 as amended was ordered held on the second reading calendar for Monday, February 19, 1973 on a rising vote.

#### MOTIONS

On motion of Senator Greive, Engrossed Senate Bill No. 2183 and Senate Bill No. 2063 were ordered to hold their places on the second reading calendar for Monday, February 19, 1973.

At 10:08 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Monday, February 19, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FORTY-THIRD DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Monday, February 19, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Laird McCoy and Susan Gallup, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

“ON THIS DESIGNATED PRESIDENT’S DAY, MAY EACH OF US PERMIT THIS PRAYER OF OUR FIRST PRESIDENT TO GUIDE OUR MINDS AND HEARTS IN THESE MEDITATIVE MOMENTS. ETERNAL AND EVERLASTING GOD, I PRESENT MYSELF THIS DAY BEFORE THY DIVINE MAJESTY, BESEECHING THEE TO ACCEPT MY HUMBLE AND HEARTY THANKS, THAT IT HATH PLEASED THY GREAT GOODNESS TO KEEP AND PRESERVE ME THE PAST NIGHT. DIRECT MY THOUGHTS, WORDS AND WORK; TEACH ME HOW TO LIVE IN THY FEAR, LABOR IN THY SERVICE AND EVER TO RUN IN THE WAYS OF THY COMMANDMENTS. PRESERVE AND BLESS OUR RULERS IN CHURCH AND STATE. BLESS THE PEOPLE OF THIS LAND; BE A FATHER TO THE FATHERLESS, A COMFORTER TO THE COMFORTLESS, A DELIVERER TO CAPTIVES AND A PHYSICIAN TO THE SICK. LET THY BLESSING BE UPON OUR FRIENDS, KINDRED AND FAMILIES. BE OUR GUIDE THIS DAY AND FOREVER; FOR JESUS CHRIST’S SAKE. AMEN.”

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced the presence within the bar of the Senate of Chris Richard Calkins, president of the Snohomish County Future Farmers of America and appointed a special committee consisting of Senators Jolly, Woody, Metcalf, Mardesich and Canfield to escort the guest to a place of honor upon the rostrum.

**PRESIDENT’S PRIVILEGE**

The President: “Honored members of the Senate, ladies and gentlemen, it is a delightful privilege to have the opportunity to present to you President Chris Richard

Calkins, who is president of the Snohomish County Future Farmers of America. Chris has a long and illustrious record in his work. In the beginning of his sophomore year he was elected as chapter delegate to the state FFA convention. One year later he was elected delegate to the national convention. In 1971 Chris received the Star Chapter Farmer Award and the Outstanding Citizen and Scholarship Plaque. In 1972 Chris was accepted to the Red Cross District Leadership Conference. As already mentioned, he is now president of the Snohomish County Chapter of the FFA. It is indeed a pleasure to present to you at this time Mr. Chris Richard Calkins."

#### REMARKS BY CHRIS RICHARD CALKINS

Chris Calkins: "Governor Cherberg, it gives me great pleasure to give you some promotional and educational information on the Future Farmers of America program.

"Good morning. It gives me a great privilege and honor to be here this morning to have the opportunity to express to you some of the views of the Future Farmers of America program and to explain a little bit about the FFA Week this week, February 17 through 24.

"President Nixon has said that he knows of no other youth organization that holds in its hands not only the power to feed America but to lead America than the Future Farmers of America.

"The FFA Organization has adopted as this year's theme; FFA—Unites Youth with Opportunities. It is these opportunities that make able the President's comment. For the FFA offers more than just leadership development. It offers the opportunity to develop a foundation for the future. This is made possible by the many activities that the FFA provides. Such competition in public speaking, parliamentary procedure, record keeping, leadership conferences, community projects, proficiency awards ranging from agribusiness to home improvement serve as stepping stones to develop a foundation for the future of the members and of America. Judging contests accompanied by oral reasons helps develop the concept of organized thinking. Communication of one's ideas is important, and the FFA strives to improve this. The primary aim of the FFA is to develop agricultural leadership, cooperation and citizenship. It is this aim that guides our accomplishments.

"The feelings of FFA members have best been expressed many times by the returning numerous prisoners of war. We are proud of America and we are proud to be Americans."

The special committee escorted the honored guest from the Senate Chamber.

#### MOTION

On motion of Senator Woody, the remarks by Chris Calkins were ordered sent by the Secretary of the Senate to the President of the United States and the Washington State Congressional Delegation.

#### REPORTS OF STANDING COMMITTEES

February 15, 1973.

SENATE BILL NO. 2088, permitting cosmetologists to serve men and women (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker, Whtzel.

Passed to Committee on Rules for second reading.

February 18, 1973.

SENATE BILL NO. 2365, creating a state-wide Medic I program (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Substitute Senate Bill No. 2365 be substituted therefor and the substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Herr, Jones, Keefe, Murray, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 19, 1973.

SENATE BILL NO. 2403, imposing an oil storage tax (reported by Committee on Ecology):

MAJORITY recommendation: That Substitute Senate Bill No. 2403 be substituted therefor and the substitute bill do pass, and be referred to the Committee on Ways and Means.

Signed by: Senators Washington, Chairman; Donohue, Murray, Stortini, Van Hollebeke, Whetzel.

There being no objection, Substitute Senate Bill No. 2403 was referred to the Committee on Ways and Means.

February 17, 1973.

SENATE BILL NO. 2518, creating a department of institutions (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch.

Passed to Committee on Rules for second reading.

February 19, 1973.

SENATE BILL NO. 2527, providing industrial insurance coverage to registered apprentices during supplemental and related instruction classes (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

February 18, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2618,

SENATE BILL NO. 2619, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 18, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 137,

ENGROSSED HOUSE BILL NO. 161,

ENGROSSED HOUSE BILL NO. 163,

ENGROSSED HOUSE BILL NO. 268,

HOUSE BILL NO. 420, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:15 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:15 a.m.

#### INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 137, by Representatives O'Brien, Moon, Wojahn and Van Dyk (by Legislative Council request):

Requiring and regulating the use of safety glass and similar materials.  
Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 161, by Representatives Williams, Lysen, Randall, Parker, Flanagan, Beck, Eng, Erickson, Kilbury, Smith, Smythe and Valle (by Permanent Property Tax Committee request):

Providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 163, by Representatives Haussler, Curtis, Charette and Schumaker:

Authorizing a review of initiative measures prior to the filing thereof.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 268, by Representatives Thompson, Rabel, Charnley, Kilbury, Kuehne and McCormick:

Excluding certain casual meetings and collective bargaining, grievance, or mediation proceedings from the public open meetings act.

Referred to Committee on State Government.

HOUSE BILL NO. 420, by Representatives Savage, Morrison and Gallagher (by Department of Employment Security request):

Making certain administrative changes in unemployment compensation.

Referred to Committee on Labor.

#### SECOND READING

SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:  
Providing for a state lottery.

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2004 was made a special order of business immediately following the noon recess.

#### SECOND READING

SENATE BILL NO. 2317, by Senator Matson:  
Changing penalties under Washington clean air act.

#### REPORT OF STANDING COMMITTEE

February 7, 1973.

SENATE BILL NO. 2317, changing penalties under Washington Clean Air Act (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 18, after "RCW 70.94.205" and before "shall" insert "*or any other provision of this act*".

On page 1, section 2, line 24, after the colon, strike the remainder of the section and insert:

"In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of chapter 70.94 RCW or any of the rules and regulations of the [state board] *department* or the board shall incur a penalty in the form of a fine in an amount not to exceed two hundred fifty dollars per day for each violation. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation.

Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. The penalty shall become due and payable when the person incurring the same receives a notice in writing from the [executive] director [of the state board] or his designee or the control officer of the authority or his designee describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the [state board or] hearings board as provided for in chapter 43.21 RCW. When a request is made for a hearing, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order affirming the penalty in whole or part. [The hearing shall be conducted pursuant to the provisions of chapter 34.04. RCW.] If the amount of such penalty is not paid to the [state board] department or the board within [fifteen] thirty days after [receipt of notice imposing the same] it becomes due and payable, and a request for a hearing has not been made, the attorney general, upon the request of the [executive] director or his designee, or the attorney for the local authority, upon request of the board or control officer, shall bring an action to recover such penalty in the superior court of the county in which the violation occurred. All penalties recovered under this section by the state board shall be paid into the state treasury and credited to the general fund or, if recovered by the authority, shall be paid into the treasury of the authority and credited to its funds.

To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

*In all actions brought in the superior court for the recovery of penalties hereunder, the procedure and rules of evidence shall be the same as in an ordinary civil action.*"

Signed by: Senators Washington, Chairman; Murray, Van Hollebeke, Whetzel.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the following amendment by Senators Washington, Whetzel and Matson was adopted:

On page 1, section 1, following line 17, add a new paragraph as follows:

*"Any person who wilfully violates any of the provisions of this chapter or any ordinance, resolution, rule or regulation in force pursuant thereto shall be guilty of a gross misdemeanor. Each day upon which such wilfull violation occurs shall constitute a separate offense. Upon conviction the offender shall be punished by a fine of not less than one hundred dollars for each offense."*

Senator Newschwander moved adoption of the following amendment:

On page 2, section 3, after line 29 of the printed bill, being page 3, line 12 of the engrossed bill, add a new section to read as follows:

*"NEW SECTION. Sec. 3. There is added to chapter 70.94 RCW a new section to read as follows:*

*Notwithstanding any other provision of law or statute a householder shall not be prevented from burning leaves, clippings, prunings or brush: PROVIDED, That the governmental authority of any city or town may regulate such burning by local law or ordinance."*

#### POINT OF ORDER

Senator Washington: "The bill itself is very narrow in scope, relating only to the penalties for the violation of the Clean Air Act. On the other hand, the amendment by Senator Newschwander would virtually gut the Clean Air Act and virtually prevent it from being effective in any way. It is very difficult for me to consider or think about an amendment which could more expand the scope and object of a bill."

Debate ensued.

#### RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Washington finds that Senate Bill No. 2317 essentially does two things, reducing the fine from one thousand dollars to two hundred and fifty dollars and that usual civil rules of

procedure apply in case of an appeal. The President believes that the amendment proposed by Senator Newschwander does change the scope and object of the bill and therefore is not in order."

The amendment by Senator Newschwander was ruled out of order.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 2317 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2317, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2592, by Senator Day:

Prohibiting certain discrimination against licensed optometrists.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Senate Bill No. 2592 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2592, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senators Clarke, Sellar, Whetzel—3.

Absent or not voting: Senators Atwood, Newschwander, Twigg—3.

Excused: Senator Dore—1.

SENATE BILL NO. 2592, having received the 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 RESOLUTION NO. 105, by Senators Washington, Grant, Ridder, Metcalf and Whetzel:

Amending the Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days.



MOTIONS

On motion of Senator Mardesich, Senate Joint Resolution No. 105 was made a special order of business for 2:00 p.m. today.

On motion of Senator Mardesich, Senate Bill No. 2216 and Senate Bill No. 2294 were re-referred to the Committee on Rules.

SECOND READING

SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

Providing for the regulation and licensing of plumbers.

The Senate resumed consideration of Senate Bill No. 2101, as amended, and the pending amendment by Senator Bailey to page 4, section 8, line 16 moved for adoption on Sunday, February 18, 1973.

There being no objection, the amendment by Senator Bailey was withdrawn.

On motion of Senator Stender, the following amendment was adopted:

On page 7, section 14, line 2, after "chapter" and before the period insert " PROVIDED, That in the administration of this act the director shall not enter any controversy arising over work assignments with respect to the trades involved in the construction industry".

On motion of Senator Canfield, the following amendment was adopted:

On page 7, section 15, line 16, after "any" and before "business" insert "farm,".

Senator Clarke moved adoption of the following amendment:

On page 7, section 15, line 20, after "neighbor" strike "or" and insert a comma, and after "relative" insert "or other person".

POINT OF INQUIRY

Senator Talley: "Would Senator Clarke submit to a question? 'Or any other person,' Senator Clarke? Wouldn't that just wipe the bill out?"

Senator Clarke: "No, I do not think so, Senator, because if you will read the proviso, it relates to the right of any householder to have these minor things done when none of the individuals doing such plumbing hold themselves out as engaged in the trade or business of plumbing. If I am having some sprinkler work done on the yard and want to have a minor change in some pipes I can have a common laborer do that. I know he is not a plumber but I do not need a plumber. Or if I have a carpenter who is working on a minor type of repair and wants to move a pipe a little ways then I should be able to ask him to do that, knowing that he is not a plumber. This is a consumer protection type amendment."

Senator Talley: "Well under this then, if you wanted to move a sink, a bathtub and a shower you could just go ahead and do it then, right?"

Senator Clarke: "Yes, Senator."

Senator Talley: "That would be incidental, wouldn't it?"

Senator Clarke: "No, that would be up to me to make my determination. And I think that you have some protection there in that this relates to the right of someone to assist or to receive assistance to the householder. I suppose in order to come within this I would have to hand the fellow a wrench so that I was doing part of the work and he was assisting me. But this is the right of the householder to employ whom he may desire to do the type of work that he wishes to designate."

Senator Talley: "He would not need a plumber then?"

Senator Clarke: "Not if the householder did not think he needed a plumber."

The motion by Senator Clarke carried and the amendment was adopted.

POINT OF INQUIRY

Senator Woodall: "Would Senator Greive yield to a question? Senator Greive, I want this for the record. Do you feel that the term 'householder' would include a farmer? In other words, here is a farmer who is feeding a thousand or five thousand head of cattle and a pipe breaks. Now it is rather important that these animals be watered and do you think the

term 'householder' is broad enough to include the farmer or does the farmer have to call up a certified plumber and wait for him to come out there? Now it is real important because, as Senator Donohue can tell you, the loss in weight factor if the feed program or the watering program is upset is great. So I am a little bit interested in what happens to the farmer."

Senator Greive: "In answer to Senator Woodall, I think it is pretty clear, especially with Senator Canfield's amendment, that if you have a farm business or industrial plant or corporation and you do work on premises, that anybody that works for you can do it. Now that is the first thing. We also have the second proviso. Let us assume that you do not have anybody on the premises, such as a hired man or even a laborer that is doing other things, then it would seem to me that you become a householder to assist or receive assistance from a friend, neighbor or any person or relative. The only exception I can think of and I want to be quite frank with you, that would be that if there was some farm upon which somebody did not live. That might present a problem here. But I would say that if you lived on the farm why there would not be any problem at all."

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Greive yield to a question? Senator Greive, the last proviso starting on line eighteen said 'That nothing in this chapter shall be construed to restrict the right of any householder to assist or receive assistance from a friend, neighbor, relative.' Now it adds 'or other person when none of the individuals doing such plumbing hold themselves out as engaged in the trade or business of plumbing.' Does this mean that the work would have to be free gratis or does this mean that the friend, neighbor, relative or other person could charge for his labor?"

Senator Greive: "I think it is pretty clear that he could charge. It would seem to me that it is assumed that any work that is done anywhere is that which is done for compensation and I do not see how it could have any other interpretation. I appreciate that those who are sponsoring these two bills, the sponsors themselves, have given different arguments, but at least it is my legal conclusion that unless you say somebody is not to charge, it is to be expected they are going to."

Senator Greive moved that the rules be suspended, Engrossed Senate Bill No. 2101 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Ridder, Jolly, Connor, Talley, Metcalf, Francis, Van Hollebeke, Stortini and Herr.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Greive failed by the following vote: Yeas, 28; nays, 18; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Connor, Day, Donohue, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—28.

Voting nay: Senators Atwood, Canfield, Clarke, Fleming, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senators Bottiger, Stender—2.

Excused: Senator Dore—1.

Engrossed Senate Bill No. 2101 was passed to third reading.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr: Licensing journeymen electricians.

The Senate resumed consideration of Engrossed Senate Bill No. 2183, on reconsideration, and a pending amendment by Senator Lewis (Harry) to page 2, section 3, line 7.

There being no objection, the amendment was withdrawn.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 2, section 3, line 7 of the printed bill, being line 13 of the engrossed bill, after "electrician" strike the period and insert ": PROVIDED, That successful completion of a course of study in the electrical trade in the armed services of the United States or at a school accredited by the Coordinating Council on Occupational Education shall constitute sufficient evidence of experience and competency to enable such person to make application for a certificate of competency."

Senator Gardner moved adoption of the following amendment to the amendment by Senator Lewis (Harry):

On line 3 of the Lewis (Harry) amendment, after "education" and before "shall" insert "plus one year practical job experience".

Debate ensued.

Senator Greive demanded a roll call on the amendment by Senator Gardner to the amendment by Senator Lewis (Harry) and the demand was sustained by Senators Connor, Washington, Talley, Day, Herr, Francis, Donohue, Bottiger and Ridder.

#### ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 18; nays, 29; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Marsh, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Talley, Woody—18.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Durkan, Fleming, Francis, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—29.

Absent or not voting: Senator Stender—1.

Excused: Senator Dore—1.

The President declared the question before the Senate to be the adoption of the amendment by Senator Lewis (Harry) to page 2, section 3, line 7 of the printed bill, being line 13 of the engrossed bill.

The motion carried and the amendment was adopted.

#### PERSONAL PRIVILEGE

Senator Talley: "Senator Greive made a statement last night that kind of frightened me then and it just scared the hell out of me now. He said we would be turning out seven hundred new lawyers a year. God help the state of Washington."

#### MOTIONS

Senator Lewis (Harry) moved adoption of the following amendment:

On page 3, section 6, line 29 of the printed bill, being page 4, line 5 of the engrossed bill, after "installation" insert "as a journeyman electrician" and on page 3, section 6, line 30 of the printed bill, being page 4, section 6, line 6 of the engrossed bill, after "subdivisions" insert "and on any job or in any employment".

On motion of Senator Newschwander, the following amendment to the amendment by Senator Lewis (Harry) was adopted:

Amend the Lewis (Harry) amendment as follows: After "electrician" on line 3 of the amendment, strike the balance of the amendment.

The motion by Senator Lewis (Harry) carried and the amendment, as amended, was adopted.

On motion of Senator Clarke, the following amendment was adopted on a rising vote:

On page 7, section 14, line 13 of the printed bill, being line 18 of the engrossed bill, after "neighbor," strike "or" and insert a comma, and after "relative" insert "or other person".

On motion of Senator Talley, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "RCW" and before the period insert "; prescribing penalties; and creating a new section".

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Lewis (Harry) moved that the Senate reconsider the vote by which the amendment to page 2, section 4, line 18 of the printed bill, being line 24 of the engrossed bill, was adopted on Sunday, February 18, 1973.

The motion for reconsideration carried.

The President declared the question before the Senate to be adoption of the following amendment by Senator Gardner:

On page 2, section 4, line 18 of the printed bill, being line 24 of the engrossed bill, after "act," and before "for four" insert "or have satisfactorily attended for up to a maximum of two years an accredited vocational or technical school program related to the electrical trade" and after "for" and before "four years" insert "a combined total of".

Senator Lewis (Harry) moved adoption of the following amendment to the amendment by Senator Gardner:

On line 3 of the Gardner amendment, strike "act," and insert "years," and strike "for four" and insert "or", and on line 5 of the amendment after "years" insert "and successfully completed" and strike lines 7 and 8 of the amendment.

#### MOTIONS

On motion of Senator Greive, Engrossed Senate Bill No. 2183, the pending amendment by Senator Gardner and the amendment to the amendment by Senator Lewis (Harry) were ordered held for further consideration following Senate Bill No. 2456.

At 12:20 p.m., on motion of Senator Mardesch, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

There being no objection, the Senate was declared to be at ease.

The President called the Senate to order at 1:40 p.m.

#### SPECIAL ORDER OF BUSINESS

SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

Providing for a state lottery.

The time having arrived, the Senate commenced consideration of Senate Bill No. 2004 on second reading.

#### REPORT OF STANDING COMMITTEE

February 5, 1973.

SENATE BILL NO. 2004, providing for a state lottery (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 23, after "of" and before "the" insert "programs in".

On page 1, section 2, line 23, after "institutions" strike the period and insert "and elsewhere, which are involved in the education, maintenance or vocational training of the handicapped as directed by the legislature."

On page 3, section 6, line 13, after "of" and before "state" insert "programs in".

On page 3, section 6, line 13, after "institutions" and before "consonant" insert "and

elsewhere, which are involved in the education, maintenance or vocational training of the handicapped as directed by the legislature".

On page 4, section 6, line 12, after "of" and before "the" insert "programs in".

On page 4, section 6, line 12, after "institutions" and before the colon insert "and elsewhere, which are involved in the education, maintenance or vocational training of the handicapped as directed by the legislature".

On page 10, section 17, line 9, after "of" and before "the" insert "programs in".

On page 10, section 17, line 10, after "institutions" and before "in" insert "and elsewhere, which are involved in the education, maintenance or vocational training of the handicapped as directed by the legislature".

On page 11, section 22, line 24, after "of" and before "the" insert "programs in".

On page 11, section 22, line 25, after "institutions" and before "as" insert "and elsewhere, which are involved in the education, maintenance or vocational training of the handicapped as directed by the legislature".

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments to page 1 were adopted.

There being no objection, the Senate commenced consideration of the remaining committee amendments simultaneously.

Senator Rasmussen moved adoption of the remaining committee amendments.

#### POINT OF INQUIRY

Senator Stender: "Mr. President, would Senator Rasmussen yield? It seems to me this amendment, Senator, would take the connotation that they are going to spend x number of dollars for certain vocational training. How do you know what dollars are going to be available when you do this? Is there any way of knowing?"

Senator Rasmussen: "At the present time there is no way of knowing. All you can have is a rough estimate and I would hesitate to give that. However, Senator Stender, it leaves it under direction of the legislature. The legislature is not going to adopt programs without the ability to pay for it."

Senator Stender: "Your remarks demonstrated that you are going to take it out of the general fund and it now is being financed by the general fund and going to fund it on this basis. Are you going to take it away from the general fund and put it in this special category? How do you know how much there is and whether or not there is enough to fund the programs that they now already have under the general fund financing?"

Senator Rasmussen: "Probably I did not explain it clearly. At the present time we are financing these programs out of the general fund. If this money supplements or takes the place of the general fund money it actually does not make a great deal of difference to the legislature. And there is not any question that the institutional program that we have will cost and does cost more than what you can raise in a lottery. But the people of the state have indicated that they desire a lottery and if they have a little clean fun and raise some money for good purposes, we have no objection. It helps the general fund in that respect."

Senator Stender: "Well, so that I get it clear in my mind what you are doing here is making a specific direction to the legislature or to somebody that x number of dollars is to be used in a specific manner to train the handicapped in a vocational area. Now you are going to have this in addition to the general fund or is it going to be in lieu of the general fund appropriations?"

Senator Rasmussen: "To the extent that this money is raised it will be in lieu of the general fund. And if there is more than sufficient money raised for this purpose it still would be under the control of the legislature."

The motion by Senator Rasmussen carried and the remaining committee amendments were adopted.

Senator Mardesich moved adoption of the following amendment:

Following the enactment clause on page 1, line 14 strike everything after "Washington:" and insert the following:

"*NEW SECTION.* Section 1. This act shall be known and may be cited as the "State Lottery Law".

*NEW SECTION.* Sec. 2. The purpose of this chapter is to establish a lottery to be operated by the state of Washington.

*NEW SECTION.* Sec. 3. As used in this chapter unless the context requires otherwise:

- (1) "Commission" shall mean the state lottery commission established by this chapter;
- (2) "Division" shall mean the division of the state lottery created by this chapter;
- (3) "Lottery" or "state lottery" shall mean the lottery established and operated pursuant to this chapter;
- (4) "Director" shall mean the director of the division of the state lottery.

*NEW SECTION.* Sec. 4. There is hereby established in the department of revenue a division of the lottery, which shall include a state lottery commission and a director.

The commission shall consist of five members, all of whom shall be citizens and residents of this state and all of whom shall be appointed by the governor by and with the advice and consent of the state senate. The members shall be appointed for one term of five years, except that of the members first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. The term of each of the members first appointed shall be designated by the governor. No more than three commissioners shall be members of the same political party and none shall serve for more than one term. Commission members shall, annually, elect one from among their number as chairman of the commission.

Any vacancy in the commission occurring for any reason other than the expiration of term, shall be filled for the unexpired term in the same manner as the original appointment.

No commissioner or employee of the commission shall directly or indirectly, individually or as a member of a partnership or as a shareholder of a corporation, have any interest whatsoever in dealing in any lottery, or in the ownership or leasing of any property or premises used by or for any lottery.

Any member of the commission may be removed by the governor for inefficiency, malfeasance and misfeasance in office, upon written notice and an opportunity to be heard at a public hearing.

Members of the commission shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended.

Upon his appointment, each commissioner shall enter into a surety bond executed by a surety company authorized to do business in this state, payable to the state of Washington, to be approved by the governor in the penal sum of fifty thousand dollars conditioned upon the faithful performance of his duties, this bond shall be filed with the secretary of state.

*NEW SECTION.* Sec. 5. The division shall be under the immediate supervision and direction of a director, who shall be a person qualified by training and experience to direct the work of such a division. The director shall be appointed by the governor from a list of five qualified applicants submitted by the lottery commission. He shall serve at the pleasure of the governor.

Any vacancy occurring in the office of the director shall be filled in the same manner as the original appointment.

The director shall devote his full time and attention to the duties of his office and shall not engage in any other profession or occupation. He shall receive an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040.

*NEW SECTION.* Sec. 6. The attorney general shall be the general counsel of the state lottery commission and shall institute and prosecute all actions and proceedings which may be necessary in the enforcement of this chapter.

He shall assign such assistants as may be necessary to the exclusive duty of assisting the commission in the enforcement of this chapter.

*NEW SECTION.* Sec. 7. In accordance with chapter 34.04 RCW, the commission shall have the power to promulgate, amend, and repeal rules and regulations regarding, but not limited to:

- (1) The type of lottery to be conducted;
- (2) The price, or prices, of tickets in the lottery;
- (3) The numbers and sizes of the prizes on the winning tickets;
- (4) The manner of selecting the winning tickets;

- (5) The manner of payment of prizes to the holders of winning tickets;
- (6) The frequency of the drawings or selections of winning tickets;
- (7) Without limit as to number, the type or types of locations at which tickets may be sold;

(8) The method to be used in selling tickets;

(9) Subject to the provisions of section 9 of this chapter, the licensing of agents to sell tickets: PROVIDED, That no person under the age of eighteen shall be licensed as an agent;

(10) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets to prospective buyers and for the convenience of the public.

In addition the commission shall have the power to:

(11) Advise and make recommendations to the director regarding the operation and administration of the lottery;

(12) Report monthly to the governor the total lottery revenues, prize disbursements and other expenses for the preceding month. Make an annual report to the governor and the legislature which should include a full and complete statement of lottery revenues, prize disbursements and all other expenses, plus any recommendations for changes in this chapter the commission deems necessary and desirable;

(13) Carry on a continuous study and investigation of lottery operations throughout this state, similar lottery laws in other states, all federal laws which affect lottery operations and citizen reaction to existing and potential features of the lottery, in order (a) to ascertain any defects in the state lottery law or in the rules and regulations issued thereunder whereby any abuse in the administration and operation of the lottery or any evasion of said law or said rules and regulations may arise or be practiced; (b) to formulate recommendations for changes and innovations in said law and rules and regulations promulgated thereunder to prevent such abuses and evasions, to better serve and implement the purposes of the state lottery; and (c) to guard against the use of said law and rules and regulations issued thereunder as a cloak for the carrying on of organized gambling and crime;

(14) The commission shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before it in any matter over which it has jurisdiction, control and supervision. The commission shall have the power to administer oaths and affirmations to persons whose testimony is required. If a person subpoenaed to attend in any such proceeding or hearing fails to obey the command of the subpoena without reasonable cause, or if a person in attendance in any such proceeding or hearing refuses, without lawful cause, to be examined or to answer a legal and pertinent question or to exhibit any book, account, record or other document when ordered to do so by the commission, the commission may apply to any judge of the superior court, upon proof by affidavit of the facts, for an order directing such person to show cause before the court why he should not comply with such subpoena or such order.

Upon return of the order, the court before whom the matter shall come for hearing shall examine such persons under oath, and if the court shall determine, after giving such person an opportunity to be heard, that he refused without legal excuse to comply with such subpoena or such order, the court may order this person to comply therein forthwith and any failure to obey the order of the court may be punished as a contempt of the superior court;

(15) No action of the commission shall be binding unless taken at a meeting at which at least three of the five are present and shall vote in favor thereof.

*NEW SECTION.* Sec. 8. The director shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules and regulations of the commission.

(2) Subject to the approval of the commission, appoint such deputy directors and such other professional, technical and clerical assistants and employees as may be necessary pursuant to chapter 41.06 RCW.

(3) Act as secretary and executive officer of the commission.

(4) In accordance with the provisions of this chapter and the rules and regulations of the commission, license as agents to sell lottery tickets such persons as in his opinion will serve the public convenience and promote the sale of such tickets. The director may require

a bond from every licensed agent, in such amount as provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the commission.

(5) Confer as regularly as is necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files and other information and documents of the division; advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery.

(6) Suspend or revoke any license issued pursuant to this chapter or the rules and regulations promulgated thereunder.

(7) Subject to the approval of the commission and the applicable laws relating to public contracts, to enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission.

(8) Certify monthly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements and other expenses for the preceding month.

*NEW SECTION.* Sec. 9. Before issuing such license the director shall consider such factors as (1) the financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

In addition, no license shall be issued to any person to engage in business exclusively as a lottery ticket agent, or to anyone who has violated any rule, regulation or order of the commission.

Any three persons objecting to the issuance of a license, or any person applying for and being denied such a license, may request and be granted a public hearing before the lottery commission.

For the purpose of this section, the term "person" shall be construed to mean and include an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" shall also be construed to mean and include all departments, commissions, agencies and instrumentalities of the state, including counties and municipalities and agencies and instrumentalities thereof.

No federal employee and no state, county or municipal employee, or member of their immediate family shall sell or be issued a license to sell lottery tickets.

Notwithstanding any other provision of law, any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

*NEW SECTION.* Sec. 10. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and, except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The director shall be discharged of all further liability upon payment of a prize pursuant to this section.

*NEW SECTION.* Sec. 11. No person shall sell a ticket at a price greater than that fixed by rule or regulation of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to prevent any person from giving lottery tickets to another as a gift.

Any person convicted of violating this section shall be guilty of a gross misdemeanor and shall be punished by imprisonment for not more than one year or by a fine of not more than ten thousand dollars or both.

*NEW SECTION.* Sec. 12. No tickets shall be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years or older to a person less than that age. Any licensee or the employee or agent of any licensee who sells or offers to sell a lottery ticket to any person under the age of eighteen shall be guilty of a gross misdemeanor.



All officers and personnel of the division and their immediate families shall be prohibited from purchasing lottery tickets and ineligible for all prizes.

*NEW SECTION.* Sec. 13. Anyone who fails to comply or attempts to evade any rule or regulation of the commission with regard to licensing, ticket accounting, claims validation or the handling of lottery receipts, or who wilfully makes any false statement or any false entry in any book or record required to be maintained by the commission or in any report required to be submitted by the commission, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars or both.

*NEW SECTION.* Sec. 14. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or acts performed pursuant to this chapter.

*NEW SECTION.* Sec. 15. Unclaimed prize money for the prize on a winning ticket shall be retained by the director for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within this year, the prize money shall be paid into the state lottery fund and allocated for purposes as otherwise here provided.

*NEW SECTION.* Sec. 16. (1) There shall be a fund, known as the "state lottery fund", which shall consist of all moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change funds and an amount of petty cash as fixed by the commission within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the state lottery fund. Disbursements from the fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the state lottery fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund.

(2) (a) Such moneys, to the extent necessary, shall be used for the payment of lottery prizes, and (b) for the expenses of the commission in administering and operating the lottery, but the amount so used shall in no event exceed forty five percent and fifteen percent respectively. The balance of this fund, in no event less than forty percent of the total amount, shall be credited to the state general fund.

*NEW SECTION.* Sec. 17. The director may, in his discretion, require any or all lottery agents to deposit to the credit of the state lottery fund in banks, designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets, less the amount, if any, retained as compensation for the sale of the tickets, and to file with the division reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements as he deems advisable pursuant to this chapter and the rules and regulations of the commission, and such functions, activities and services shall constitute lawful functions, activities and services of the director.

*NEW SECTION.* Sec. 18. The state auditor shall conduct an annual post audit of the lottery division, its procedures and transactions. The post audit report shall be submitted to the governor, the lottery commission and the legislature.

*NEW SECTION.* Sec. 19. All state agencies, departments and political subdivisions shall cooperate with the director and the lottery commission in carrying out their legally prescribed duties.

*NEW SECTION.* Sec. 20. Sections 1 through 20 of this act shall constitute a new chapter in Title 67 RCW.

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

(1) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010;

(2) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020;

(3) Section 214, chapter 249, Laws of 1909 and RCW 9.59.030;

(4) Section 215, chapter 249, Laws of 1909 and RCW 9.59.040; and

(5) Section 216, chapter 249, Laws of 1909 and RCW 9.59.050.

Debate ensued.

#### POINT OF INQUIRY

Senator Ridder: "Senator Rasmussen, did this amendment come before your committee in your deliberations on this bill?"

Senator Rasmussen: "No, it did not. However, it is a pretty good amendment as I briefly had the opportunity to skim it. If you desire to set it down one bill or two on the calendar we can complete it. As Senator Mardesich has explained it and as I have had the opportunity of looking the bill over I think it does strengthen the lottery bill considerably and would probably be just as palatable as the one that the committee had the opportunity to consider."

Senator Ridder: "It seems to me that in the light of that that we should set this down a couple of bills so some of us at least could read the amendment."

Senator Rasmussen: "I would have no objection."

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2004, as amended, with the pending amendment by Senator Mardesich, was ordered held following consideration of Senate Bill No. 2459.

#### SPECIAL ORDER OF BUSINESS

SENATE JOINT RESOLUTION NO. 105, by Senators Washington, Grant, Ridder, Metcalf and Whetzel:

Amending the Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days.

The time having arrived, the Senate commenced consideration of Senate Joint Resolution No. 105.

#### MOTIONS

On motion of Senator Atwood, Substitute Senate Joint Resolution No. 105 was substituted for Senate Joint Resolution No. 105 and the substitute resolution was read the second time in full.

There being no objection, Substitute Senate Joint Resolution No. 105 was made a special order of business for 3:45 p.m.

#### PARLIAMENTARY INQUIRY

Senator Lewis (Harry): "On legislation that we would be working on when we reach the hour of four, if we continue working on that legislation would it be considered part of this legislative day's work?"

#### REPLY BY THE PRESIDENT

The President: "Yes, it would, Senator Lewis."

SECOND READING

ENGROSSED SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr: Licensing journeymen electricians.

The Senate resumed consideration of Engrossed Senate Bill No. 2183, the amendment by Senator Gardner, under reconsideration, pending, and an amendment by Senator Lewis (Harry) to the amendment under consideration.

The amendment to the amendment was adopted.

The President declared the question before the Senate to be the adoption on reconsideration of the amendment by Senator Gardner as amended by Senator Lewis (Harry).

MOTION

On motion of Senator Woodall, Engrossed Senate Bill No. 2183 was re-referred to the Committee on Rules on second reading.

SECOND READING

SENATE BILL NO. 2456, by Senators Washington, Guess and Henry: Providing uniformity of definition relating to motor vehicle laws.

MOTION

On motion of Senator Washington, Senate Bill No. 2456 was referred to the Committee on Transportation and Utilities.

THIRD READING

ENGROSSED SENATE BILL NO. 2321, by Senators Fleming, Matson and Grant: Providing that school districts shall elect to cover services of employees under unemployment compensation.

MOTION

On motion of Senator Matson, the rules were suspended and Engrossed Senate Bill No. 2321 was returned to second reading.

Senator Mardesich moved adoption of the following amendment by Senator Matson:

On page 1, section 1, line 25 of the printed bill, being page 2, line 1 of the engrossed bill, insert a new section as follows:

“*NEW SECTION.* Sec. 2. There is appropriated to the state superintendent of public instruction for distribution to school districts from the general fund for the biennium ending June 30, 1975, the sum of \$4,540,000 or so much thereof as shall be necessary, to carry out the provisions of this 1973 act.”

Re-number section 2 as section 3.

On motion of Senator Grant, the following amendment to the amendment by Senator Matson was adopted:

Amend the Matson amendment to page 1, section 1, line 25 of the printed bill, being page 2, line 1 of the engrossed bill, as follows: On line 8 of the amendment, strike “\$4,540,000” and insert “\$750,000”.

The motion by Senator Mardesich carried and the amendment by Senator Matson, as amended by Senator Grant, was adopted.

On motion of Senator Matson, the following amendment to the title was adopted:

On page 1, section 1, line 14, after “title” insert “, pursuant to compensation schedules in effect prior to July 1, 1971.”

On motion of Senator Matson, the following amendment to the title was adopted:

On line 2 of the title of both the printed and engrossed bills, after “50.44 RCW;” insert “making an appropriation;”.

## MOTION

On motion of Senator Atwood, Engrossed Senate Bill No. 2321 was referred to the Committee on Ways and Means.

## SECOND READING

SENATE BILL NO. 2459, by Senators Bottiger and Scott:

Providing for rights of parents of illegitimate children as to certain domestic relations proceedings.

The bill was read the second time by sections.

On motion of Senator Bottiger, the rules were suspended, Senate Bill No. 2459 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2459, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

SENATE BILL NO. 2459, having received the 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 PRESIDENT

The President signed:

SENATE BILL NO. 2618,

SENATE BILL NO. 2619.

## SECOND READING

SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

Providing for a state lottery.

The Senate resumed consideration of Senate Bill No. 2004, as amended, earlier today and the pending amendment by Senator Mardesich.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Mardesich yield to a question? Senator Mardesich, I have been reading your amendment and there are a couple of questions that I have to ask. The members of the commission or any other personnel involved in the lottery commission cannot purchase tickets or win prizes. Is this correct?"

Senator Mardesich: "Correct."

Senator Rasmussen: "Another section provides that a person could buy a ticket for a gift to minors. Would this section prohibit a minor of any one of the children of the family of people involved in the personnel from keeping that gift?"

Senator Mardesich: "It probably would."

Senator Rasmussen: "It says in new section fifteen, 'Unclaimed prize money for the prize on a winning ticket shall be retained by the director for the person entitled thereto for

one year after the drawing in which the prize is won. If no claim is made for said money within this year, prize money shall be paid into the state lottery fund and allocated for purposes as otherwise herein provided."

Senator Mardesich: "Are you suggesting that 'as otherwise herein provided' would complicate it?"

Senator Rasmussen: "Well, I am not sure exactly—'herein provided.' Under our Unclaimed Properties Act why it goes to the state treasurer in custody and you can pick it up anytime."

Senator Mardesich: "But 'as otherwise herein provided' I believe, in this case, would refer to the money going to the general fund because the law in other sections provides that the money does go to the general fund."

Senator Rasmussen: "This is my question. Shouldn't it go to the Unclaimed Properties and then be picked up?"

Senator Mardesich: "No, I think by this language it would go into the general fund."

Senator Rasmussen: "Then the winner, after one year, would not have any claim?"

Senator Mardesich: "That is correct."

Senator Rasmussen: "Thank you."

#### POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, would Senator Mardesich yield? In the original bill I see where it calls for a throwback to the treasury of around thirty percent. This sounds more like the IRS or Internal Revenue where we give them a dollar and they give us thirty percent back. What is your estimate on what this would bring in and then what is the percentage that would be returned to the state?"

Senator Mardesich: "The projections are that this will raise somewhere between fifteen and twenty million dollars per year. Other people have suggested that it would raise more money than that but the department of revenue has suggested the figure is in that range. That is what the forty percent net would theoretically raise for the state."

Senator Peterson (Ted): "Is your cost then around sixty percent? Is that because you have to set up a whole new department for the collection of this money?"

Senator Mardesich: "No, it simply says that these are limits. And we use those figures as limits. Forty-five percent for prizes, fifteen percent for operating. Based on those percentages, it would result in thirty to thirty-five million dollar income to the state. The history in other states has proven that after a few years of operation these figures come down. Where that would end up we do not know. Part of the reason for putting the limits in was that if the revenue fell off too much they would necessarily have to come back to us to take another look at it because they would be exceeding the fifteen percent. And that was also part of the reason for putting those limitations in there."

Senator Durkan moved adoption of the following amendment to the amendment by Senator Mardesich:

On page 11, following section 22, insert the following new section:

"*NEW SECTION.* Sec. 23. This bill shall not take effect until the funds necessary for its implementation have been specifically appropriated by the legislature and such appropriation itself has become law. It is the intention of the legislature that if the governor shall veto this section or any item thereof, none of the provisions of this bill shall take effect."

#### POINT OF INQUIRY

Senator Stender: "Would Senator Durkan yield? I am trying to arrive at some conclusion to that amendment that says that the action of the Governor could veto the section of the bill and when he does that he vetoes the whole bill. I just question the constitutionality of such a type of . . ."

Senator Durkan: "I think that is a valid question, Senator, whether or not we have the right to put in the veto in the section. We have made the policy decision that measures which carry fiscal impact and move through the legislature, will have a section added that will permit it to go on its way without being sent to Ways and Means."

“Now the purpose of the amendment or the amendment that I have put up there simply says three things. It says this bill will not be operative if there is not enough money appropriated by the legislature to operate it. Two, it says this bill will not be operative if there is not enough money appropriated by the legislature and also if that appropriation is not signed by the Governor. We could pass the measure and not appropriate the money and the Governor would then decide that he would want the bill anyway without the money and go ahead against the legislative intent. So with those two things in mind the third thing was put on, which raises your issue, and that is whether or not the self-triggering device which says if this section is vetoed the entire bill is void, I would be very honest that I do not know. It has never been questioned, nor has it ever been decided by our supreme court. There is precedent both ways that the legislature can do this and there is precedent that the Governor has the right to veto the section and that such right would include his right to veto the particular amendment that I have offered. But the Constitution provides, and which supports our position, in Article VIII, Section 4, among other things it says, ‘and every such law making a new appropriation, or continuing or reviving an appropriation shall distinctly specify the sum appropriated . . .’ ‘Specify the sum,’ and that is not in this bill. It does not specify the sum. And so what we are trying to do is to comply with the Constitution.”

The motion by Senator Durkan carried and the amendment to the amendment by Senator Mardesich was adopted.

On motion of Senator Woodall, the following amendment to the amendment by Senator Mardesich was adopted:

On page 1, line 2 of the Mardesich amendment strike “State” and insert “Clyde Tisdale”.

The motion by Senator Mardesich carried and the amendment, as amended, was adopted.

On motion of Senator Herr, the rules were suspended, Engrossed Senate Bill No. 2004 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Day, Herr and Mardesich demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be final passage of Engrossed Senate Bill No. 2004.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2004, and the bill passed the Senate by the following vote: Yeas, 31; nays, 17; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Woodall, Woody—31.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jolly, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Sellar, Stender, Walgren, Wanamaker, Washington, Whetzel—17.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Following is a statement by Senator Ridder concerning his vote on Senate Bill No. 2004:

Having received Senator Mardesich’s amendment (11 pages in length) five minutes prior to the second reading of Senate Bill No. 2004 in its original form, I requested with Senator

Odegaard, a summary. The caucus attorney advised us that it would take five hours to summarize the Mardesich amendment. I fully realize that this is desired legislation by the people but this amendment (which rewrote the entire bill) had ample time to be discussed in the proper committee (as per Senator Rasmussen, chairman of the State Government Committee who had the bill, testified on the floor) with testimony and legal input. Since this came up without proper due notice and had insufficient hearing, I voted no.

(Signed) Senator Robert Ridder

### SECOND READING

SENATE BILL NO. 2037, by Senators Donohue, Henry, Walgren and Jolly (by Legislative Transportation Committee request):

Regulating farm vehicle widths on public highways.

### MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2037 was substituted for Senate Bill No. 2037, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Donohue, the rules were suspended, Substitute Senate Bill No. 2037 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2037, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

SUBSTITUTE SENATE BILL NO. 2037, having received the 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. 2517, by Senators Lewis (Harry), Durkan, Dore, Walgren, Clarke, Donohue, Sandison, Ridder, Canfield, Newschwander, Matson, Fleming, Jolly, Henry, Metcalf, Wanamaker, Scott, Peterson (Ted), Lewis (Bob), Woodall and Murray:

Authorizing members of the legislative budget committee and its staff to attend executive hearings on the budget.

The bill was read the second time by sections.

On motion of Senator Mardesich, the rules were suspended, Senate Bill No. 2517 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### POINT OF INQUIRY

Senator Guess: "Would Senator Durkan yield, please? Senator Durkan, I have an idea that this is an invasion of the executive branch. The executive is charged with preparing the budget. Now, are we going to start meddling in the executive, as he sometimes meddles in the legislative?"

Senator Durkan: "Absolutely not. Let me recall to you, Senator, in 1963 when the Budget and Accounting Act was passed. There is a provision in there which provides that the legislative auditor shall sit in on the compiling of the budget. And after it was passed both Governors Rosellini and Evans indicated that they would rather have some type of privacy in putting their budgets together and so the legislative auditor has recognized this and has not done it. But what we are saying here now is that we want to be part of the overall gathering information. We are not going into the executive offices and sit down when the Governor sits down with his OPP&FM director and determines what he is going to do. What we are trying to do is keep enough information available to the legislative branch of government so that they in turn can advise us in the legislature. We still have not availed ourselves of the '63 act in which the legislative auditor himself has a right to go right in there and do it."

Senator Guess: "Is it not possible with the open meeting law that we now have that the Legislative Budget Committee could get this same information by just requesting it rather than sitting in on the meetings?"

Senator Durkan: "Well, Senator, you have served in this chamber for some time now and you know how difficult it is when you request information and sit back and wait for it. Time goes by and in the press of time other things come up. So what I am saying simply is that no one is trying to preempt anybody's authority. We are trying to do a job that will get information for all of us. As a matter of fact, Senator, we are not asking any more in the legislative end of it on the Ways and Means Committee than you already have in Transportation."

Senator Guess: "Thank you."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2517, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senators Stender, Whetzel—2.

Excused: Senator Dore—1.

SENATE BILL NO. 2517, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2336, by Senators Francis, Clarke, Day and Peterson (Ted) (by Executive request):

Providing civil proceedings for persons with mental illness.

#### MOTION

On motion of Senator Francis, Substitute Senate Bill No. 2336 was substituted for Senate Bill No. 2336 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 3, section 1, line 22, after the period strike all the matter down to and including "services." on line 29 and insert: "[Upon the admission of a voluntary patient to a private institution, hospital, or sanitarium, the person in charge shall immediately forward to the office of the department of health a record of the voluntary patient showing the name, residence, age, sex, place of birth, occupation, marital status, date of admission to the institution, hospital or sanitarium, and such other information as may be required by rule of the department of health.]"



On motion of Senator Francis, the rules were suspended, Engrossed Substitute Senate Bill No. 2336 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2336, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, having received the 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. 2327, by Senators Grant, Woody and Connor:

Increasing certain workmen's compensation benefits.

The bill was read the second time by sections.

Senator Matson moved adoption of the following amendment:

On page 1, section 1, line 14, after "title" insert "*pursuant to compensation schedules in effect prior to July 1, 1971,*".

POINT OF INQUIRY

Senator Bailey: "How would the Chair rule on this bill as to whether or not it would qualify under appropriations or revenue measures? In view of the fact that it does raise revenue and it does appropriate moneys, I was just wondering as to what the ruling would be?"

REPLY BY THE PRESIDENT

The President: "The President believes that this measure would fall within the provisions of the resolution providing for consideration of this measure after today, that in essence it is a revenue producing measure."

MOTION

Senator Stender moved that Senate Bill No. 2327 and the pending amendment by Senator Matson be held for consideration on Tuesday, February 20, 1973.

Debate ensued.

The motion failed.

The motion by Senator Matson carried and the amendment was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed Senate Bill No. 2327 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Whetzel: "Senator Grant, is it possible under this bill that the person could receive a pension in excess of one hundred percent of the average monthly wage? That is if

you take the fifty percent regular pension, forty percent if they are handicapped, five percent if they are married and two percent for each child if they have three children or more?"

Senator Grant: "I do not believe that is the case, Senator Whetzel. Under the amendment that was passed by Senator Matson I think that possibility no longer exists."

Senator Greive: "Short answer, the maximum they can get is seventy-five percent of the state-wide average maximum wage."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2327, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Guess—1.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2327, having received the 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. 2588, by Senators Woodall and Mardesich:

Making department of revenue records relating to escheats of property available for public inspection.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Senate Bill No. 2588 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2588, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

SENATE BILL NO. 2588, having received the 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. 2056, by Senators Woodall, Stender and Bottiger (by Legislative Council request):

Increasing the mandatory minimum liability insurance requirements for operators of vehicles for hire.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Senate Bill No. 2056 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2056, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Talley—1.

Excused: Senator Dore—1.

SENATE BILL NO. 2056, having received the 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. 2063, by Senators Woodall, Bottiger and Francis (by Legislative Council request):

Enacting the Washington criminal code.

REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2063, enacting the Washington criminal code (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 9A.04.010, strike lines 16 through 24 and insert:

“(b) Sections 9A.48.005 through 9A.48.040;

(c) Section 9A.84.060;

(d) Sections 9A.88.020 through 9A.88.080;

(e) Section 9A.04.120, section 9A.04.130, chapter 9A.20, and such sections and chapter relate to offenses defined under chapter 9A.44, under sections 9A.48.005, through 9A.48.040, under section 9A.84.060, and under sections 9A.88.020 through 9A.88.080;

(f) Sections 9A.92.010(a) (15), 9A.92.010(a) (16), 9A.92.010(a) (17), 9A.92.010(b) (9), 9A.92.010(b) (10) 9A.92.010(b) (11);

(g) Sections 9A.92.010(b) (129) through 9A.92.010(b) (135), section 9A.92.010(b) (137); and

(h) Subsections (3) and (5) of this section as they relate to items (a) through (h) of this subsection (1).”

On page 5, section 9A.04.120, line 27, after “defense” and before the semicolon insert “which evidence would raise a reasonable doubt as to the defendant’s guilt”.

Beginning on page 15, section 9A.12.010, line 33, after “Sec. 9A.12.010.” strike all matter down to and including the period on page 16, line 9, and insert “INSANITY; PROOF BY PREPONDERANCE OF EVIDENCE. (1) A person is not criminally responsible for conduct if at the time of such conduct, as a result of mental disease or defect, he either does not:

(a) Know the nature and quality of such conduct; or

(b) Know that such conduct is wrong.

(2) Mental disease or defect excluding responsibility is a defense which the defendant shall have the burden of proving by a preponderance of the evidence.”

On page 24, section 9A.16.100, line 8, after “did not” and before “otherwise” strike “then”.

On page 32, section 9A.32.025, line 2, after "section" and before the period insert ": PROVIDED, That if any other 1973 law, or portion thereof, which is not included or repealed under this title, provides a mandatory sentence of death for the commission of certain kinds or classes of homicide, then the provisions of the other law, or portion thereof, shall be given effect and any person convicted under such law shall be punished as provided therein."

On page 38, strike all of section 9A.44.010.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendments to page 1 and page 5 were adopted.

Senator Francis moved adoption of the committee amendment to page 15.

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2063, as amended, was ordered to hold its place on the second reading calendar immediately following consideration of Senate Bill No. 2347.

SENATE BILL NO. 2625, by Senators Metcalf, Grant, Rasmussen and Canfield:  
Requiring Senate confirmation of certain appointees be at first opportunity.

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE BILL NO. 2625, requiring Senate confirmation of certain appointees be at first opportunity (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

Section 1, beginning on line 6 strike the remainder of the paragraph and insert "When any appointment to any office or position is or has been made subject to the advice and consent of the Senate or subject to confirmation of the Senate, as required by either the Constitution or by statute, an appointee who is not confirmed by the Senate during the first legislative session after his appointment or within ten days of the date of such appointment, if the appointment is made during a legislative session and the legislature is in session for at least a ten day period subsequent to such appointment, shall be considered to have been rejected by the Senate and shall not continue to serve in his appointed office or position and may not be reappointed to such office or position."

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini.

The bill was read the second time by sections.

Senator Metcalf moved adoption of the committee amendment.

On motion of Senator Whetzel, the following amendments to the committee amendment were adopted:

On line 7 of the committee amendment strike "ten" and insert "thirty".

On line 10 of the committee amendment strike "ten" and insert "thirty".

The motion by Senator Metcalf to adopt the committee amendment, as amended, was held pending.

Senator Canfield moved adoption of the following amendment by Senators Canfield and Washington:

On page 1, section 1, line 8, after the comma strike all the matter down to the period on line 11 and insert "the governor shall have the right to withdraw such appointment at any time prior to any action by the Senate".

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2625 was ordered held for consideration before Senate Bill No. 2063.

SUBSTITUTE SENATE BILL NO. 2175, by Committee on Social and Health Services (originally sponsored by Senators Marsh, Day and Jones):

Providing housing authority with additional powers to deal with the housing problems of the developmentally disabled and others.

#### MOTION

On motion of Senator Day, Second Substitute Senate Bill No. 2175 was substituted for Substitute Senate Bill No. 2175 and the Second Substitute Senate Bill No. 2175 was placed on second reading and read the second time in full.

On motion of Senator Donohue, the following amendment was adopted:

On page 1, section 1, line 9, after "purposes," strike "including but not limited to" and insert "for".

On motion of Senator Atwood, the following amendment was adopted:

On page 1, section 1, line 19 strike "chapter 42.32 RCW" and insert "RCW 35.82.280".

On motion of Senator Day, the rules were suspended, Engrossed Second Substitute Senate Bill No. 2175 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Marsh yield to a question? Senator Marsh, on line eighteen of the substitute bill provides that the powers of the authority with respect to group homes and halfway houses shall be exercised by resolution adopted on notice at a public hearing as provided by and as amended by Senator Atwood, chapter thirty-five. Now housing authorities operate pretty much under federal rules and regulations. Is it your intent that if upon hearing that the planning commission or the council denies this application for the building in a neighborhood that they will not be permitted to go ahead with the development?"

Senator Marsh: "Under the bill as amended by Senator Atwood, there is going to have to be a hearing on the project and a finding that it is truly a project that fits in with the definition of a supplemental project. That is, they are going to have to find that the low income housing needs have been met, that there is a surplus of funds on hand existing after meeting those needs, and then after making those findings and if it meets with the approval of the housing authority directors, then they can go ahead and adopt this project by resolution. And I point out, Senator Atwood, the next proviso points out that they have to comply with all the existing procedures, ordinances, related to planning, zoning, sanitary and building laws applicable to the locality in which it is located. So I think the answer is they are going to have to comply with the intent of the people and they are going to have to make these formal findings."

Senator Rasmussen: "And that they cannot by simple resolution after they have held all the hearings go ahead anyway?"

Senator Marsh: "Not unless they have made the affirmative findings, that they have complied with the existing ordinances and that they have found that the lower income housing needs have been met and there is a surplus of funds."

Senator Rasmussen: "That is the catch, these affirmative findings, Senator Marsh."

Senator Marsh: "That is the catch."

#### POINT OF INQUIRY

Senator Walgren: "Will Senator Marsh yield to another question? Senator Marsh, there appears to be some question as to whether or not these types of group homes would be allowed in a first class residential district in some areas of the state. Most zoning codes prohibit that type of an operation. Is it your belief and it would be the intent of this bill that these homes would not be able to come into a first class district if the zoning code prohibited it?"

Senator Marsh: "That is my belief, that they would not be able to come in if the zoning code prohibited it and that is the intent of the sponsor."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2175, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—40.

Voting nay: Senators Guess, Lewis (Bob), Rasmussen, Scott, Sellar, Twigg, Wanamaker, Woodall—8.

Excused: Senator Dore—1.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2175, having received the 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. 2440, by Senator Walgren (by Washington Utilities and Transportation Commission request):

Implementing the laws of transportation.

#### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2440; implementing the laws of transportation (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 5, line 14, after "necessity" and before "[to]" strike "[or]" and insert "or[".

On page 5, section 6, line 24, strike "provision" and insert "[provision] provisions".

On page 10, section 14, line 33 after "81." and before ".040" strike "80" and insert "84".

On page 11, section 14, line 1, after "81." and before ".040" strike "80" and insert "84".

On page 11, section 15, line 18, strike "chapter" and insert "Title".

On page 11, section 15, line 32, strike "chapter" and insert "Title".

On page 12, section 15, line 1, strike "chapter" and insert "Title".

In line 1 of the title after "Relating to" and before "transportation" insert "regulation of".

In line 1 of the title after "transportation" and before the semicolon following "transportation" insert "and storage".

In line 21 of the title after "section 81." and before ".040" strike "80" and insert "84".

In line 22 of the title after "and RCW 81." and before ".040" strike "80" and insert "84".

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Sellar, Talley, Wanamaker, Washington, Whetzel.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted simultaneously.

On motion of Senator Walgren, the committee amendments to the title were adopted.

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 2440 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2440, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Greive—1.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2440, having received the 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. 2675, by Senator Day:  
Revising the laws regulating chiropractic.

#### REPORT OF STANDING COMMITTEE

February 18, 1973.

SENATE BILL NO. 2675, revising the laws regulating chiropractic (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On pages 1 and 2, strike all of sections 1 through 6 and renumber the remaining sections consecutively.

On page 3, section 7, line 8, after "examinations" and before "the use of" insert "related to the spinal column".

In line 5 of the title, after "adding" and before "to" strike "new sections" and insert "a new section".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Murray, Twigg, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 2675 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2675, and the bill passed the Senate by the following vote: Yeas, 36; nays, 6; absent or not voting, 6; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Talley, Van Hollebeke, Washington, Whetzel, Woodall, Woody—36.

Voting nay: Senators Clarke, Jones, Lewis (Harry), Stortini, Walgren, Wanamaker—6.  
Absent or not voting: Senators Atwood, Guess, Lewis (Bob), Matson, Newschwander,

Twigg—6.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2675, having received the 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. 2347, by Senators Ridder, Talley and Canfield:  
Providing for the issuing of certain bonds by sewer districts.

#### REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2347, providing for the issuing of certain bonds by sewer districts (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after “commissioners” and before “shall” on line 17, strike “before ordering any improvements hereunder or submitting to vote any proposition for incurring a *general indebtedness*” and insert “[before ordering any improvements hereunder or submitting to vote any proposition for incurring indebtedness]”.

On page 1, section 1, line 18, after “district” and before the period insert “*before (1) ordering an improvement thereof, or (2) submitting to vote any proposition for incurring a general indebtedness*”.

On page 2, section 1, line 14, after “the” on line 14 and before “and” on line 15, strike “director of health of the county in which the district or any portion thereof is located,” and insert “[director of health of the county in which the district or any portion thereof is located] *secretary of the department of social and health services*”.

Page 2, section 1, line 16, after “the” and before “[director]” strike “[engineer and]” and insert “engineer and”.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment to page 1, section 1, line 15, was adopted.

Senator Fleming moved adoption of the committee amendment to page 1, section 1, line 18.

On motion of Senator Fleming, the following amendment to the committee amendment was adopted:

Amend the committee amendment to page 1, section 1, line 18, as follows: On line 3 of the amendment strike “*thereof*” and insert “*to the sewer system*”.

The motion by Senator Fleming carried and the committee amendment, as amended, was adopted.

On motion of Senator Fleming, the remaining committee amendments were adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 2347 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2347, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray,



Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Voting nay: Senator Grant-1.

Excused: Senator Dore-1.

ENGROSSED SENATE BILL NO. 2347, having received the 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. 2577, by Senator Day:

Prohibiting discrimination against legally recognized and licensed practitioners of health care.

### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2577, prohibiting discrimination against legally recognized and licensed practitioners of health care (reported by Committee on Social and Health Services): MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 2, line 25, after "services of" strike "those".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

On motion of Senator Day, the following amendments by Senators Day and Newschwander were adopted:

On page 1, section 2, line 24, after "services" and before "shall" insert "except those contracts offering services solely through persons licensed as required by RCW 18.32.090".

On page 1, section 2, line 26, after "pursuant to" insert "RCW 18.32.090 and to".

Senator Sellar moved adoption of the following amendment:

On page 2, add a new section following section 2 as follows:

*"NEW SECTION.* Sec. 3. There is added to chapter 268, Laws of 1947 and to chapter 48.44 RCW a new section to read as follows: Notwithstanding any other provision of law, no health care service contractor shall be required to provide payment for the services of, nor otherwise indemnify, any doctor whose license is not based on a degree lawfully conferred by an institution accredited by an accrediting agency recognized and approved by the United States Office of Education, Department of Health, Education and Welfare."

Debate ensued.

The motion by Senator Sellar failed and the amendment was not adopted.

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 2577 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2577, and the bill passed the Senate by the following vote: Yeas, 32; nays, 8; absent or not voting, 8; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Washington, Woody-32.

Voting nay: Senators Atwood, Clarke, Jones, Ridder, Sellar, Walgren, Wanamaker, Whetzel-8.

Absent or not voting: Senators Bottiger, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Twigg, Woodall—8.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2577, having received the 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

Senator Sandison moved that the Senate immediately commence consideration of Senate Bill No. 2784.

#### POINT OF ORDER

Senator Lewis (Harry): “Mr. President, the time is 3:58 and we had agreed to consider Substitute Senate Joint Resolution No. 105 at this time.”

#### RULING BY THE PRESIDENT

The President: “There is a special order of business at 3:58, Senator. I believe there is time, according to Cherberg Omega time. The President will see to it that the resolution is considered before four o’clock, Senator.”

#### SECOND READING

SENATE BILL NO. 2784, by Senator Sandison:

Directing that certain state land be conveyed to Mason county.

#### MOTION

On motion of Senator Sandison, Substitute Senate Bill No. 2784 was substituted for Senate Bill No. 2784 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Newschwander, the following amendment was adopted:

On page 1, section 1, line 11, after “privately” strike the period and insert “: PROVIDED, That all such transfers shall be reported to the legislative budget committee.”

On motion of Senator Sandison, the rules were suspended, Engrossed Substitute Senate Bill No. 2784 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2784, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Grant, Sellar—2.

Absent or not voting: Senator Durkan—1.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2784, having received the 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. 2112, by Senators Canfield, Keefe, Sandison and Woodall (by Joint Committee on Higher Education request):  
Implementing state patrol retirement act.

MOTION

On motion of Senator Mardesich, Senate Bill No. 2112 was re-referred to the Committee on Ways and Means.

SPECIAL ORDER OF BUSINESS

SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, by Committee on Constitution and Elections (originally sponsored by Senators Washington, Grant, Ridder, Metcalf and Whetzel):

Amending the Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days.

Senators Mardesich, Van Hollebeke and Bailey demanded a Call of the Senate. A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senator Dore who had previously been excused.

On motion of Senator Mardesich, the Senate proceeded under the Call of the Senate.

REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, for the record I think that—Senator Lewis called up Substitute Senate Joint Resolution No. 105 for consideration at two minutes before four and I think that the fact that it has been called up is enough to establish that we are under consideration with that bill."

REPLY BY THE PRESIDENT

The President: "The President is of the opinion that through tradition, inasmuch as it was made a special order of business for 3:58 that it was under the consideration of the Senate."

Senator Mardesich: "And a caucus at this time would not be considered a break in that . . . ."

The President: "A caucus at this time for either party would be in order."

MOTION

At 4:25 p.m., on motion of Senator Atwood, the Senate recessed until 4:45 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 4:45 p.m.

The Senate resumed consideration of Substitute Senate Joint Resolution No. 105.

On motion of Senator Grant, the following amendment was adopted:

On page 1, line 21, strike all of subsection (2) and renumber the following subsections.

On motion of Senator Whetzel, the following amendment was adopted:

On page 1, line 27, after "(3)" strike "*Extra*" and insert "*Special*" and after "*Sessions.*" strike "*Extra*" and insert "*Special*".

On motion of Senator Whetzel, the following amendments were adopted simultaneously:

On page 2, line 10, before "*convened*" strike "*extra session, and any extra session*" and insert "*special session, and any special session*".

On page 2, line 15, strike all of line 15 and insert "special session may not restrict the purpose of such special session."

Senator Newschwander moved adoption of the following amendment:

On page 1, line 19, after "*ninety*" and before "*days*" insert "*consecutive*".

#### POINT OF INQUIRY

Senator Whetzel: "Will Senator Atwood yield to a question? Do I understand if we adopt the word 'consecutive' that it is the intention of this body that the legislature would still, under the provisions of Article II, section 11, be able to adjourn for more than three days without the consent of the other body?"

Senator Atwood: "Not more than three days."

Senator Whetzel: "Not more than three days."

Senator Atwood: "But not more than. It would have to be seventy-two hours at the most. That would be the limit."

#### POINT OF INQUIRY

Senator Washington: "Mr. President, would Senator Atwood yield? The present constitutional limitation is sixty days without having the word 'consecutive'."

Senator Atwood: "I understand that but we are going into a new constitutional amendment and we felt that the 'consecutive' was necessary so there would not be any misunderstanding because under the Supreme Court ruling we now can go forever in a special session so we want to make it very clear that these were consecutive days."

Senator Washington: "The thing I wanted to make sure that we were not changing perhaps some other Supreme Court decisions that might be adverse."

Senator Atwood: "Not to my knowledge. Our attorneys have been looking at that and we can find no cases on that. The seventy-two hour adjournment is unaffected by this. We can still do that. I mean seventy-two hour recess."

Senator Washington: "Your position that the court has generally said that sixty days means consecutive and all you are putting in the Constitution is the language that the court has already used."

Senator Atwood: "That is correct."

The motion by Senator Newschwander carried and the amendment was adopted.

Senator Newschwander moved adoption of the following amendment:

On page 1, line 20, after "*sixty*" insert "*forty-five consecutive*".

Debate ensued.

The motion failed and the amendment was not adopted on a rising vote.

On motion of Senator Newschwander, the following amendment was adopted:

On page 1, line 20, after "*sixty*" insert "*consecutive*".

On motion of Senator Mardesich, the following amendments were adopted:

On page 2, line 9, after "*convening of*" strike "*an*" and insert "*a*".

On page 2, line 14, after "*calling*" strike "*an*" and insert "*a*".

On motion of Senator Grant, the following amendment was adopted:

On page 2, after "adopt." on line 18, and before "Article II" on line 19, insert a new paragraph to read as follows:

*"The first regular session of the legislature to be held pursuant to this amendment shall commence on the second Monday of January in the year following the approval by the voters of this amendment."*

On motion of Senator Atwood, the following amendments by Senators Atwood and Lewis (Harry) were adopted:

On page 2, line 1, after "*convened*" and before "*by*" insert "*for a period of not more than thirty consecutive days*".

On page 2, line 3, after "*thirty*" and before "*days*" insert "*consecutive*".

On page 2, line 9, after "*resolution*" and before "*specify*" strike "*may*" and insert "*shall*".

Senator Atwood moved adoption of the following amendment by Senators Atwood and Lewis (Harry):

On page 2, line 9, before "*resolution*" insert "*proclamation or*".

Debate ensued.

The motion by Senator Atwood carried and the amendment was adopted.

On motion of Senator Atwood, the following amendment by Senators Atwood and Lewis (Harry) was adopted:

On page 2, line 10, after "*such*" and before "*resolution*" insert "*proclamation or*".

Senator Atwood moved adoption of the following amendment by Senators Atwood and Lewis (Harry):

On page 2, line 14, beginning with "*A*" strike all matter down to and including "*session.*" on line 15.

Debate ensued.

There being no objection, the pending amendment was temporarily held for further consideration.

Senator Atwood moved adoption of the following amendment by Senators Atwood and Lewis (Harry):

On page 2, lines 16 through 18, strike lines 16 through 18 and substitute therefor the following:

*"(3) The legislature shall establish by law a joint committee of twelve members, composed of an equal number of members of both houses, divided equally by major political party, with the chairmanship alternating every two years between the House and Senate which committee may exercise, during such times as the legislature is not in regular or extraordinary session, or has been in recess for three calendar days or more the following powers:*

*(a) establish rules under which the standing and interim committees of the legislature shall operate;*

*(b) approve appointment of staff and meeting times and places for the standing and interim committees of the legislature."*

Debate ensued.

On motion of Senator Lewis (Harry) the amendment was divided for consideration.

#### POINT OF INQUIRY

Senator Grant: "Will Senator Lewis yield to a question? Senator Lewis, before I can vote intelligently on whether or not to strike that particular subsection that permits standing committees of the legislature to work during the interim, I would like to know what your intention is regarding the balance of the amendment. Would the balance of the amendment then be withdrawn?"

Senator Lewis (Harry): "Let me just say this, that we are not being facetious about this at all, Senator. I think by dividing the issue we can determine whether there is equity before us or not. If our amendment is not presentable in its present form, then that is an issue for the majority to decide. But we would certainly like to see our amendment carry but my attempt in dividing was to give you an opportunity to determine which direction you are going. And if you are not going in the direction I suggested, then I think you can show that to the public of the state by voting to strike that language from this constitutional amendment."

#### POINT OF INQUIRY

Senator Donohue: "Mr. President and members of the Senate, I think what some of us are concerned with is whether or not the other side of the aisle is trying to kill the annual

sessions bill. I think this is what we are thinking about and I think that what we are really concerned with here is whether or not we are going to be able to move this bill out and get it over to the House. Could we assume then, Senator Lewis, that if we deleted this language that you would support the bill?"

Senator Lewis (Harry): "Senator Donohue, if you adopt the amendment as we originally presented it we would support this annual sessions bill."

The amendment as divided was adopted, striking lines 16 through 18 on a rising vote.

The President declared the question before the Senate to be the remainder of the amendment by Senators Atwood and Lewis (Harry) to page 2.

#### POINT OF INQUIRY

Senator Whetzel: "Will Senator Mardesich yield? I am interested in your discussion of a concurrent resolution that is—do you contemplate that we would adopt this proposal of Senator Lewis's by a concurrent resolution rather than in a constitutional amendment?"

Senator Mardesich: "I have not said that we would adopt that specific language but I am saying that I think that we can work out something that will be satisfactory to you people."

Debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Mardesich, Walgren, Bailey, Whetzel, Grant, Fleming, Greive, Van Hollebeke and Durkan.

#### ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—29.

Excused: Senator Dore—1.

On motion of Senator Washington, the following amendment was adopted:

On page 2, line 14, after "*purpose*" insert "*or purposes*".

On motion of Senator Grant, the following amendment was adopted:

On page 2, line 19, beginning with "Article" strike all the matter down to and including "Constitution" on line 31.

On motion of Senator Grant, the following amendment by Senators Atwood and Grant was adopted:

On page 1, line 6, strike "amendments" and insert "amendment" and after "Article II," strike "sections 12 and 23" and insert "section 12".

The Senate resumed consideration of the amendment by Senators Atwood and Lewis (Harry) of the amendment to page 2, line 14.

#### MOTION

At 6:30 p.m., on motion of Senator Atwood, the Senate recessed until 7:30 p.m.

#### EVENING SESSION

The President called the Senate to order at 7:30 p.m.

There being no objection, the President declared the Senate to be at ease.

The President called the Senate to order at 7:40 p.m.

The Senate resumed consideration of Substitute Senate Joint Resolution No. 105.

There being no objection, the amendment to page 2, line 14 by Senators Atwood and Lewis (Harry) was withdrawn.

On motion of Senator Atwood, the following amendment was adopted:

On page 2, line 12, after "*such*" and before "*resolution*" strike "*proclamation or*" added by the Atwood/Lewis (Harry) amendment.

Senator Atwood moved adoption of the following amendment by Senators Grant and Atwood:

On page 2, line 15, beginning with "*A*" strike all the matter down through and including "*session*" on line 17 and substitute the following: "*The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory*".

POINT OF INQUIRY

Senator Woodall: "Would Senator Atwood yield? This actually does not say anything, does it? What does it say?"

Senator Atwood: "What it says is, Senator, that we have to consider it. Now what is meant by considered . . ."

Senator Woodall: "What does that mean?"

Senator Atwood: "I do not know. It means that the legislature in its wisdom in committees or something like that and they considered it and that is it. I argued that that is all we needed to do. But the good caucus attorney for the Democrats argued that they did not want to be mandated into some fearful action on our part. So we put in the words, 'but shall not be mandatory'."

The motion by Senator Atwood carried and the amendment was adopted.

On motion of Senator Grant, the following amendment was adopted:

Strike "*proclamation or*" on line 9, added by the Atwood/Lewis (Harry) amendment to page 2, line 9.

On motion of Senator Grant, the rules were suspended, Engrossed Substitute Senate Joint Resolution No. 105 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Stender: "Would Senator Grant yield? Senator Grant, with these amendments that have been proposed to this joint resolution, is it the purpose that when the Governor calls a session under Article III, Section 7, that he will state the purposes for which that particular session is to be held?"

Senator Grant: "He must do that now, Senator, and this does not change that."

Senator Stender: "And then is it the understanding that when he calls that that the session is wide open, we get the whole book full of tricks like we have now?"

Senator Grant: "With the amendment that Senator Atwood and I presented it provides that we shall consider the purpose for which he called it but it will not be mandatory."

Senator Stender: "You covered that. I understand that, but what I am asking is a direct question. I would appreciate a direct answer. Does this mean that when the Governor calls a session the whole thing is open and we go through all the tricks and that anybody can introduce?"

Senator Grant: "Very similar to what we have now."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 105, and the resolution passed the Senate by the following vote: Yeas, 44; nays, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar,

Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Voting nay: Senators Matson, Newschwander, Stender, Woodall—4.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, having received the constitutional two-thirds majority, was declared passed.

#### MOTIONS

On motion of Senator Mardesich, all bills remaining on the calendar were re-referred to the Committee on Rules.

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

At 7:55 p.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Tuesday, February 20, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### FORTY-FOURTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 20, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Greive and Woodall. On motion of Senator Francis, Senator Greive was excused. On motion of Senator Twigg, Senator Woodall was excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages David Warmuth and Jennie Wilbur, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

“O GIVE THANKS TO THE LORD, FOR HE IS GOD; FOR HIS STEADFAST LOVE ENDURES FOREVER. WE THANK YOU, FATHER, THIS DAY FOR YOUR GIFTS, FOR THE GIFTS OF STRENGTH AND HEALTH, AND FOR FRIENDSHIP’S BOUNDLESS WEALTH, FOR THE POWER TO THINK ARIGHT, AND FOR FREEDOM’S HOLY LIGHT. GRANT US NOW YOUR BLESSING AS WE TAKE UP THE TASKS OF THIS DAY. GRANT UNTO US MINDS WHICH SEEK THE TRUTH AND PERSEVERE UNTIL IT IS FOUND. GRANT UNTO US LIPS WHICH SPEAK THE TRUTH IN LOVE. GRANT UNTO US WILLS TO WORK WITH DILIGENCE AND THE RESOLUTION TO STAND FOR PRINCIPLE; BUT SAVE US FROM THE STUBBORNNESS WHICH MAGNIFIES TRIFLES INTO PRINCIPLES. HELP US TO WORK THIS DAY IN SUCH A WAY THAT WHEN EVENING COMES WE MAY HEAR YOU SAY, ‘WELL DONE, GOOD AND FAITHFUL SERVANTS.’ THIS WE PRAY IN



THE NAME OF HIM WHO CAME NOT TO BE SERVED BUT TO SERVE, EVEN JESUS CHRIST, OUR LORD. AMEN.”

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGES FROM THE HOUSE

February 20, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2618,

SENATE BILL NO. 2619, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 19, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 49,

HOUSE BILL NO. 63,

HOUSE BILL NO. 89,

HOUSE BILL NO. 90,

ENGROSSED HOUSE BILL NO. 91,

HOUSE BILL NO. 212,

ENGROSSED HOUSE BILL NO. 217,

ENGROSSED HOUSE BILL NO. 257,

SUBSTITUTE HOUSE BILL NO. 273,

ENGROSSED HOUSE BILL NO. 281,

ENGROSSED HOUSE BILL NO. 289,

ENGROSSED HOUSE BILL NO. 293,

HOUSE BILL NO. 325,

HOUSE BILL NO. 328,

ENGROSSED HOUSE BILL NO. 329,

ENGROSSED HOUSE BILL NO. 330,

HOUSE BILL NO. 331,

ENGROSSED HOUSE BILL NO. 332,

HOUSE BILL NO. 342,

ENGROSSED HOUSE BILL NO. 359,

HOUSE BILL NO. 367,

HOUSE BILL NO. 373,

HOUSE BILL NO. 396,

HOUSE BILL NO. 397,

ENGROSSED HOUSE BILL NO. 402,

ENGROSSED HOUSE BILL NO. 404,

SUBSTITUTE HOUSE BILL NO. 429,

HOUSE BILL NO. 436,

HOUSE BILL NO. 444,

ENGROSSED HOUSE BILL NO. 455,

HOUSE BILL NO. 462,

HOUSE BILL NO. 467,

ENGROSSED HOUSE BILL NO. 476,

ENGROSSED HOUSE BILL NO. 477,

HOUSE BILL NO. 551,

ENGROSSED HOUSE BILL NO. 576,

HOUSE BILL NO. 580,

HOUSE BILL NO. 585,

ENGROSSED HOUSE BILL NO. 594,

HOUSE BILL NO. 604,  
 HOUSE BILL NO. 626,  
 HOUSE BILL NO. 645,  
 HOUSE BILL NO. 652,  
 HOUSE BILL NO. 663,  
 HOUSE BILL NO. 665, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 19, 1973.

Mr. President: The House has passed:  
 ENGROSSED HOUSE BILL NO. 694,  
 ENGROSSED HOUSE BILL NO. 729,  
 ENGROSSED HOUSE BILL NO. 753,  
 HOUSE BILL NO. 758,  
 ENGROSSED HOUSE BILL NO. 782,  
 HOUSE BILL NO. 957, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 19, 1973.

Mr. President: The House has passed: ENGROSSED HOUSE BILL NO. 567, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2802, by Senators Bottiger, Gardner and Rasmussen:  
 An Act relating to inheritance taxes; and adding a new section to chapter 83.20 RCW.  
 Referred to Committee on Ways and Means.

HOUSE BILL NO. 49, by Representatives Berentson, Charette, Pardini and Hoggins:  
 Providing for payment of employee and employer contributions to the retirement system.

Referred to Committee on State Government.

HOUSE BILL NO. 63, by Representatives Adams, Kelley and Zimmerman:  
 Amending award in lieu of homestead provisions.  
 Referred to Judiciary Committee.

HOUSE BILL NO. 89, by Representatives May, Zimmerman and Leckenby:  
 Requiring asbestos safety gear in certain industries.  
 Referred to Committee on Labor.

HOUSE BILL NO. 90, by Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request):

Providing for filing of personal service contracts.  
 Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 91, by Representatives Kopet, Shinpoch and Polk (by Legislative Budget Committee request):

Providing procedures for advance payment of services rendered to the state.  
 Referred to Committee on State Government.

HOUSE BILL NO. 212, by Representatives Pardini, Hurley, Kopet and May:  
 Authorizing the Eastern Washington Historical Society to collect art and dispose of unneeded materials.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 217, by Representatives Kopet, Thompson, Bagnariol and Chatalas (by Legislative Budget Committee request):

Providing procedures whereby the state treasurer can invest certain surplus funds in time deposit accounts.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 257, by Representatives Curtis, Kopet, Smythe and Wilson:

Allowing cities to join in county park and recreation service areas.

Referred to Committee on Local Government.

SUBSTITUTE HOUSE BILL NO. 273, by Committee on Labor (originally sponsored by Representatives Savage, Kilbury, Gaines, Gaspard and Warnke):

Providing for study for need of employee walkways along railroad bridges and trestles.

Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 281, by Representatives Ellis, Kuehnle and Randall:

Authorizing school district boards to have hearing offices.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 289, by Representatives Polk, Lysen, Freeman and Julin:

Providing for motorists' information signs.

Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 293, by Representative Charette:

Making the assessor's records open to public inspection.

Referred to Committee on Local Government.

HOUSE BILL NO. 325, by Representatives Swayze and Knowles:

Specifying venue of actions against the state.

Referred to Judiciary Committee.

HOUSE BILL NO. 328, by Representatives Julin and Kelley (by Secretary of State request):

Eliminating the filing requirement for articles of incorporation by a foreign corporation.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 329, by Representatives Julin and Kelley (by Secretary of State request):

Setting requirements for corporate names for miscellaneous and mutual corporations.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 330, by Representative Kelley (by Secretary of State request):

Changing the laws of involuntary dissolution of miscellaneous and mutual corporations.

Referred to Judiciary Committee.

HOUSE BILL NO. 331, by Representatives Julin and Kelley (by Secretary of State request):

Requiring reports of foreign corporations and reducing the penalty for filing late reports.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 332, by Representatives Amen, Haussler, Laughlin, Bauer, Curtis, Schumaker and Tilly:

Exempting minors employed by a parent from extrahazardous employment classification.

Referred to Committee on Labor.

HOUSE BILL NO. 342, by Representatives Julin, Polk, Thompson, Curtis and Newhouse:

Permitting cities, towns, and special taxing districts to purchase liability insurance for officers and employees.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 359, by Representatives Luders, Flanagan, Maxie, Lysen, Brown and Bauer (by Secretary of State and Joint Committee on Education request):

Authorizing community education pilot programs and appropriating funds therefor.

Referred to Committee on Education.

HOUSE BILL NO. 367, by Representatives Gaspard, Nelson and Kelley:

Changing law relating to warrants of public school teachers.

Referred to Committee on Education.

HOUSE BILL NO. 373, by Representatives Bauer, Hoggins and Charette:

Reconciling certain double amendments and conflicting provisions in education code.

Referred to Committee on Education.

HOUSE BILL NO. 396, by Representatives Erickson and Brown:

Providing for additional counting boards on election.

Referred to Committee on Constitution and Elections.

HOUSE BILL NO. 397, by Representatives Lysen, Cunningham and Barden (by Washington Public Deposit Protection Commission request):

Making certain changes in the laws relating to public depositories.

Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 402, by Representatives King, Eng and Blair (by Secretary of State request):

Relating to the counting of absentee ballots.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 404, by Representatives Shinpoch, Pardini, Sommers, Erickson, Kraabel and Maxie (by Washington State Women's Council request):

Implementing laws against discrimination.

Referred to Committee on Commerce.

SUBSTITUTE HOUSE BILL NO. 429, by Committee on State Government (originally sponsored by Representatives North (Lois), Newhouse and May) (by Legislative Council request):

Creating the Uniform State Mapping Fund.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 436, by Representatives Savage, Morrison and Paris (by Department of Employment Security request):

Providing for conformity of state unemployment compensation with federal law.

Referred to Committee on Labor.

HOUSE BILL NO. 444, by Representatives Kraabel, Nelson, O'Brien, Rabel, Patterson, Pardini, May, Wojahn, Martinis and Freeman:

Authorizing cities and towns to expend a portion of the motor vehicle fuel tax for city street purposes.

MOTION.

On motion of Senator Walgren, House Bill No. 444 was referred to the Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 455, by Representatives Kuehnle, Haussler and Knowles:

Authorizing revenue bonds for sewer services in irrigation districts.  
Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 462, by Representatives Berentson, Perry and Jueling:  
Defining "clearing corporation".  
Referred to Committee on Financial Institutions.

HOUSE BILL NO. 467, by Representatives Berentson, Perry and Jueling:  
Authorizing any fiduciary holding securities to deposit them in a clearing corporation.  
Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 476, by Representatives Thompson, Rabel and Conner:

Defining certificated employee for the purposes of Title 28A RCW.  
Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 477, by Representatives Bauer, Brown, Eng, Amen, King and Maxie:

Providing for the approval, control, and regulation of associated student body activities and moneys.  
Referred to Committee on Education.

HOUSE BILL NO. 551, by Representatives Conner and Van Dyk:  
Providing procedures for administering the flood control permit program.  
Referred to Committee on Ecology.

ENGROSSED HOUSE BILL NO. 567, by Representatives Ehlers, Kilbury, Gaspard, Bagnariol, Smith, Beck, Randall, Erickson, Bauer, Kelley, Barden, Ellis, Gaines and Laughlin:

Prohibiting double taxation of mobile homes and repealing laws requiring mobile home identification tags.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 576, by Representatives Bausch, Zimmerman, Anderson, Conner and Laughlin:

Authorizing free fishing licenses for certain blind persons.  
Referred to Committee on Natural Resources.

HOUSE BILL NO. 580, by Representatives Goltz, Julin, Gaspard, Eikenberry, Sommers and Hayner:

Increasing the jurisdictional limit for small claims court.  
Referred to Judiciary Committee.

HOUSE BILL NO. 585, by Representatives Cunningham, Bender and Nelson:

Authorizing the appointment of up to seven park commissioners in second, third, and fourth class cities.  
Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 594, by Representatives Smith, Kraabel and Goltz:  
 Providing for water pollution control in the state of Washington.  
 Referred to Committee on Ecology.

HOUSE BILL NO. 604, by Representatives Kuehnle, Chatalas and Garrett:  
 Providing that licensed real estate salesmen may sell mobile home when sold with land  
 on which it rests.  
 Referred to Committee on Commerce.

HOUSE BILL NO. 626, by Representatives Conner and Savage:  
 Relating to fairground capital improvements.  
 Referred to Committee on Agriculture.

HOUSE BILL NO. 645, by Representatives Maxie, Brown, Conner and Laughlin:  
 Giving state board for community college education jurisdiction over programs of  
 students enrolled in more than one community college.  
 Referred to Committee on Higher Education.

HOUSE BILL NO. 652, by Representatives Luders, Bagnariol and Pardini:  
 Regulating insurance company investment.  
 Referred to Committee on Financial Institutions.

HOUSE BILL NO. 663, by Representative Charnley:  
 Requiring additional qualifications of water well construction licenses.  
 Referred to Committee on Ecology.

HOUSE BILL NO. 665, by Representatives Parker, Erickson, Curtis, Jueling and Perry:  
 Providing for the licensing of podiatrists.  
 Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 694, by Representatives King, Brown, Laughlin and  
 Zimmerman:  
 Making mandatory certain polling hours at both elections and primaries.  
 Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 729, by Representatives Luders, Swayze, Charette,  
 Thompson, Martinis, Pardini, Kilbury and North (Lois):  
 Providing for measures to facilitate pollution control.  
 Referred to Committee on Ecology.

ENGROSSED HOUSE BILL NO. 753, by Representatives Swayze, Thompson,  
 Smythe, Paris, Erickson, Kraabel and Hayner:  
 Permitting public assistance grants to certain high school students.  
 Referred to Committee on Social and Health Services.

HOUSE BILL NO. 758, by Representatives Barden and Bagnariol:  
 Providing standards for the valuation of fraternal benefit insurance certificates.  
 Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 782, by Representative Charette:  
 Regulating chain distributor business schemes.  
 Referred to Committee on Commerce.

HOUSE BILL NO. 957, by Representatives Bluechel, Williams, Randall and  
 Zimmerman:  
 Extending the state land planning commission until June 30th, 1973.  
 Referred to Committee on State Government.

MOTION

At 11:20 a.m., on motion of Senator Mardesich, the Senate recessed until 12:15 p.m.

NOON SESSION

The President called the Senate to order at 12:15 p.m.  
There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2106, with the following amendments:

On page 1, section 2, line 22, after "per month" insert "for full time employees pro-rated for less than full time,".

On page 6, section 7, line 6, after "assistance" insert ", aid for the blind, and disability assistance".

On page 6, section 7, line 7, after "from" strike "February" and insert "March".

On page 6, section 7, line 10, after "providing" strike "early implementation of".

On page 6, section 7, line 12, strike "Old Age Assistance" and insert "old age assistance, aid for the blind, and disability assistance".

On page 6, section 7, beginning on line 16, after "recipients" strike the colon and all material down to and including "\$296,000" on line 23 and insert ". . . . \$635,190".

On page 6, line 30, after \$46,200, insert "NEW SECTION. Sec. 9".

"FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION General Fund Appropriation: Being a reallocation to the Superintendent of Public Instruction of a portion of the \$5,023,718 heretofore appropriated by section 76, page 1307, chapter 275, Laws of 1971 ex. session for distribution to counties for school districts: Handicapped Children—Excess costs: PROVIDED, That \$100,000 of this reallocation shall be utilized for providing education services to children in institutions who are not now receiving an educational program and the balance to be used by the Superintendent of Public Instruction for intensified training and planning for the implementation of chapter 66, Laws of 1971 ex. sess.

(Engrossed House Bill 90) . . . . . \$250,000".

Renumber the remaining section consecutively., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

Senator Durkan moved that the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 2106.

POINT OF INQUIRY

Senator Atwood: "Would Senator Durkan yield? What is the monetary difference in the bill that went out of here and the one that is the amendment on this particular bill? What is the total difference?"

Senator Durkan: "It is approximately three hundred thousand dollars as I read it."

Senator Atwood: "That is the only difference?"

Senator Durkan: "That is right."

The motion carried and the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2106.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2106, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 7; absent or not voting, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—37.

Voting nay: Senators Atwood, Francis, Matson, Metcalf, Newschwander, Sellar, Whetzel—7.

Absent or not voting: Senators Jones, Stender—2.

Excused: Senators Dore, Greive, Woodall—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2106, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 2106.

## MOTION

At 12:20 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

## CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Atwood, the appointment of HERB FRANK as a member of the Board of Trustees of Central Washington State College was confirmed.

## APPOINTMENT OF HERB FRANK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Dore, Woodall—2.

## MOTION

On motion of Senator Fleming, the appointment of JEROME W. PAGE as a member of the Board of Trustees of Eastern Washington State College was confirmed.



APPOINTMENT OF JEROME W. PAGE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Dore, Woodall—2.

MOTION

On motion of Senator Woody, the appointment of WILFRED WOODS as a member of the Washington State Parks and Recreation Commission was confirmed.

APPOINTMENT OF WILFRED WOODS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Dore, Woodall—2.

MOTION

On motion of Senator Rasmussen, the appointment of LEROY M. HITTLE as a member of the Washington State Liquor Control Board was confirmed.

APPOINTMENT OF LEROY M. HITTLE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel—44.

Absent or not voting: Senators Grant, Stender, Woody—3.

Excused: Senators Dore, Woodall—2.

SECOND READING

ENGROSSED HOUSE BILL NO. 388, by Representatives Maxie, Smythe, O'Brien and Van Dyk (by Joint Committee on Education request):

Making substantive changes to education code.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 388 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Stortini: "Would Senator Gardner yield to a question? Senator, each quarter I have a deaf student or two in my class. Does this bill mean that that student would not have to attend class and still get credit?"

Senator Gardner: "No, Senator Stortini. What this means is that if that child felt that he had the capability at his age to satisfy the requirements of the school and because of either physical or mental matters or under the new language which deals with all kinds of factors including the need to have employment, then he could petition for the right to take the test which would give him a certificate of competency in lieu of completing the high school year and obtaining a high school diploma."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 388, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Connor—1.

Excused: Senators Dore, Woodall—2.

ENGROSSED HOUSE BILL NO. 388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

February 20, 1973.

Mr. President: The Speaker has signed SUBSTITUTE SENATE BILL NO. 2106, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

At 2:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, February 21, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FORTY-FIFTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Wednesday, February 21, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Drew Talley and Jennie Wilbur, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

“ I LIFT UP MY EYES TO THE HILLS FROM WHENCE DOES MY HELP COME. MY HELP COMES FROM THE LORD WHO MADE HEAVEN AND EARTH. OUR FATHER, IN THESE OPENING MOMENTS OF MEDITATION, MAY THE MEMBERS OF THIS UPPER CHAMBER SET THEIR SIGHTS AND GET THEIR BEARINGS BY LOOKING UP TO YOU, THE SOURCE AND GROUND OF OUR BEING AND OF OUR BEING ABLE TO ACCOMPLISH OUR ASSIGNED TASKS. WE PRAY NOW THAT YOU WOULD GIVE TO OUR SENATORS EVEN AS IT IS WRITTEN, YOU GAVE TO SOLOMON OF OLD, ‘WISDOM AND UNDERSTANDING BEYOND MEASURE, AND LARGENESS OF MIND LIKE THE SAND ON THE SEASHORE.’ THIS WE ASK IN THE NAME OF HIM WHOM YOU MADE TO BE OUR ‘WISDOM, OUR RIGHTEOUSNESS AND SANCTIFICATION AND REDEMPTION’ EVEN JESUS CHRIST OUR LORD. AMEN.”

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

February 21, 1973.

SENATE BILL NO. 2007, exempting real property used for exhibiting art, scientific or historical collections from property tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

February 20, 1973.

SENATE BILL NO. 2495, regulating commercially licensed troll vessels (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass and that the bill be referred to Committee on Ways and Means.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Rasmussen, Sandison, Talley.

There being no objection, Senate Bill No. 2495 was referred to the Committee on Ways and Means.

February 21, 1973.

HOUSE BILL NO. 41, providing notice requirements for voting shares of missing shareholders (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 47, extending age limit for filial support payments (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

ENGROSSED HOUSE BILL NO. 48, providing for disclaimer of interest under will, trust of intestacy (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 75, making it a crime to place harmful objects and substances in food (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 20, 1973.

ENGROSSED HOUSE BILL NO. 249, providing for the abolishment of the weather modification board (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini, Van Hollebeke, Whtzel.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 307, pertaining to judges' retirement system—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 308, pertaining to fees of clerks of superior courts—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 309, pertaining to county budgets—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 310, pertaining to industrial insurance—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 311, pertaining to veterans' bonus—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 312, pertaining to motor vehicle fuel taxes—code correction (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 321, providing for a limitation on the private practice of law by an attorney general or any of his assistants (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 325, specifying venue of actions against the state (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

February 20, 1973.

ENGROSSED HOUSE BILL NO. 381, providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini, Van Hollebeke, Whetzel.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 580, increasing the jurisdictional limit for small claims court (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

## MESSAGES FROM THE GOVERNOR

Office of the Governor, February 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 20, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2055: Providing for the issuance of an occupational driver's license.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, February 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 20, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2618: Defining the conditions for use of certain unemployment funds.

SENATE BILL NO. 2619: Appropriating funds for the employment security department.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, February 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 20, 1973, Governor Evans approved the following Senate Bill entitled:

SUBSTITUTE SENATE BILL NO. 2106: Adopting a supplemental budget.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 21, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have reluctantly signed Engrossed Substitute Senate Bill No. 2106, the supplemental budget. It provides for a salary adjustment of \$40 per month effective February 1, 1973, for all local school district classified employees, for all employees of four-year units of higher education, and for all state employees except faculty and exempt staff of community colleges and certificated staff of local school districts who because of contract restrictions are not eligible for immediate increases. This provision differs from Senate Bill No. 2106 as originally filed by executive request which provided for a salary adjustment of 4% or \$40 per month, whichever is greater.

While a \$40 salary increase as a response to rising costs of living will be helpful to all state employees receiving this increase, I believe a great disservice has been done by the action of the Legislature in deleting the alternative of a 4% increase. The failure to allow for this alternative adversely affects key personnel in higher education and other state employment and will make our task increasingly difficult both to hold present employees and to attract high quality new employees who are so essential to the effective and efficient operation of education and government.

I am most concerned that the failure of the Legislature to be responsive to the needs of all state employees will lead to a deterioration in quality in our education, health and administrative programs. This issue cuts broadly across a variety of critical professional skills, including those of educators in our schools for higher education, medical and health personnel in our institutional program for the mentally ill and handicapped and data processing staff in many agencies. The loss of such key personnel will surely result in the state suffering severe long-range damage, both in the quality of our programs and in decreased capacity to control costs, consequences which must not be permitted to occur.

I strongly recommend that the Legislature adequately meet this issue in the operating budget for the next biennium.

Sincerely,  
DANIEL J. EVANS  
Governor.

MOTION

At 9:35 a.m., on motion of Senator Mardesich, the Senate recessed until 11:10 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:10 a.m.

MOTION

On motion of Senator Mardesich, the following Senate Bills were ordered to hold their places on the second reading calendar for Thursday, February 22, 1973: Engrossed House Bill No. 117 and Engrossed House Bill No. 153.

## SECOND READING

SENATE BILL NO. 2527, by Senators Grant, Stender, Ridder and Metcalf (by Department of Labor and Industries request):

Providing industrial insurance coverage to registered apprentices during supplemental and related instruction classes.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, Senate Bill No. 2527 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2527, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Dore—1.

SENATE BILL NO. 2527, having received the 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. 2438, by Senators Donohue, Guess, Sandison and Durkan:

Allowing money from liquor revolving fund to universities to be used for alcoholism and drug addiction research.

The bill was read the second time by sections.

Senator Whetzel moved adoption of the following amendment:

On page 1, section 1, line 18, strike "*for*" and insert "*including*".

## MOTIONS

On motion of Senator Durkan, Senate Bill No. 2438, together with the pending amendment by Senator Whetzel, was ordered to hold its place on the second reading calendar for Thursday, February 22, 1973.

On motion of Senator Mardesich, House Bill No. 360 was ordered to hold its place on the second reading calendar for Thursday, February 22, 1973.

## MOTION

On motion of Senator Grant, the following resolution was adopted:

## SENATE RESOLUTION 1973-25

By Senator Grant:

WHEREAS, In the case of an emergency there is an urgent need to contact public agencies providing police, fire or medical services; and

WHEREAS, Valuable seconds are often lost while locating the appropriate number for such agencies in the telephone directory; and

WHEREAS, A swift procedure for contacting public agencies providing emergency services could limit the loss of property and even the loss of life in many emergency situations;



NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Legislative Council or, in the alternative, the appropriate interim standing committee, to undertake a study of the feasibility of establishing state-wide a uniform three digit telephone number for contacting public agencies that provide emergency services;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to any special session of the legislature convened in 1974, and if no such session is convened, to the next regular session of the legislature.

MOTION

On motion of Senator Rasmussen, the following resolution was adopted:

SENATE RESOLUTION 1973-26

By Senators Rasmussen, Peterson (Ted), Bailey, Mardesich, Stender, Knoblauch and Van Hollebeke:

WHEREAS, The nation faces a well-documented emergency in the provision of fuels to meet all energy needs; and

WHEREAS, Multi-millions of barrels of oil remain undeveloped in the North Slope fields in Alaska; and

WHEREAS, Development of these energy sources will reduce the dependence of the nation on oil supplies from other nations; and

WHEREAS, In times of national defense emergency, it will be absolutely vital to have such energy sources under control of the United States; and

WHEREAS, The Congress presently has before it policy questions regarding the implementation of the pipeline project proposed by Aleyeska, Inc., of Bellevue, Washington; and

WHEREAS, Every effort should be made to expedite the construction of the pipeline from the North Slope area, with strict adherence to all ecological and environmental laws and regulations;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, that the Congress immediately take such policy and legislative steps necessary that will provide for construction of the pipeline from the North Slope to tidewater in Alaska.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the U.S. House of Representatives and the members of the delegation to the Congress from the State of Washington.

MOTION

Senator Guess moved adoption of the following resolution:

SENATE RESOLUTION 1973-27

By Senators Mardesich, Guess, Rasmussen, Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, The prisoners of war returning from Southeast Asia have brought honor to our country and the state of Washington and have endowed us with a sense of pride; and

WHEREAS, These men were sustained by their faith in God and in their country which brought them through their long ordeals in foreign prisons; and

WHEREAS, These men in our armed forces have portrayed courage and moral strength in the face of extreme difficulties; and

WHEREAS, The prisoners of war portrayed the tenacity and fortitude to withstand their imprisonment by organizing and maintaining tight discipline as they were trained to do;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, realizing that we will be ever indebted to these brave men of the state of Washington who have sacrificed so very much for the preservation of freedom and justice; we do now acclaim and dedicate, this Forty-third session of the Senate to the prisoners of war returning to the state of Washington;

BE IT FURTHER RESOLVED, By the Senate, realizing the sacrifices made and the heartaches endured by the wives and families in their long wait for the return of their loved ones, we do hereby commend these wives and families; and

BE IT FURTHER RESOLVED, That the Senate, all of us assembled stand in silent prayer for those prisoners of war and those missing in action who are not returning, for truly they have given far more than what can be measured in words.

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be transmitted by the Secretary of the Senate to the known prisoners of war returning to the state of Washington.

#### MOTION

On motion of Senator Mardesich, all Senate members were added as additional sponsors to Senate Resolution 1973-27.

The Senate members and guests observed a moment of silence in honor of the returned prisoners of war.

The motion by Senator Guess carried and the resolution was unanimously adopted.

#### MOTION

At 11:40 a.m., on motion of Senator Mardesich, the Senate recessed until 1:45 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

At 1:50 p.m., the Senate retired to the House Chamber to meet in Joint Session to receive a message from United States Senator Warren G. Magnuson.

#### 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, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort the Senators to seats within the House Chamber.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present except Senator Dore who had previously been excused.

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

The President of the Senate: "Honored and respected members of the Legislature, ladies and gentlemen, the purpose of this joint session is to receive a message from the Honorable Warren G. Magnuson, United States Senator.

"I have been requested to announce for the benefit of those people who were unable to find accommodations in the galleries that a TV monitor has been placed in the rotunda. If for some reason you are unable to follow the items on the agenda today you might be a little more comfortable watching the monitor.

"I wish to thank you, Mr. Speaker, for your always friendly hospitality and to compliment you and your staff on the wonderful organization and the splendid manner in which you have cooperated with the members of the Senate. Thank you."

The President of the Senate appointed the following committee to escort the Most Reverend Thomas A. Connolly, Archbishop of the Diocese of Seattle, to a seat upon the

rostrum: Senators Connor, Mardesich and Twigg and Representatives O'Brien, Eng and Smythe.

The President of the Senate: "Honored members of the Senate, ladies and gentlemen, the President is sure that you would like to be advised that present in the House Chamber today is an illustrious, renowned and noted former state official, the Honorable Victor Aloysius Meyers.

"With all the discussion on annual sessions, it might be advisable to remind you that once Governor Meyers was asked what he thought about the constitutional limitation of a sixty-day session every two years. Governor Meyers replied that he thought it would be a better idea if they had a two-day session every sixty years."

The Honorable Victor A. Meyers was given a standing ovation.

The committee of honor escorted the Most Reverend Thomas A. Connolly to a seat of honor upon the rostrum.

The President of the Senate appointed the following committee to escort United States Senator Warren G. Magnuson to a seat of honor upon the rostrum: Senators Bailey, Twigg and Donohue; and Representatives Charette, Gaines and Morrison.

The Sergeant at Arms of the House announced the arrival of United States Senator Magnuson at the bar of the House, and the President instructed the committee of honor to escort the Honorable Warren G. Magnuson to the rostrum.

The President of the Senate: "Mr. Speaker, Senator Magnuson, members of the Washington State Legislature, university presidents and other distinguished guests, we have with us today one of the most noted philanthropists in the State of Washington, His Excellency, the Archbishop Thomas A. Connolly, who for the past twenty-five years has been the spiritual leader of the Archdiocese of Seattle. Under the Archbishop's unwavering leadership and unparalleled wisdom, the advantages of the poor and the underprivileged in his See have improved immensely. The Archbishop's fights for equal housing for the minority and his constant insistence on rightful progress for the working man are landmarks to his dedicated service.

"It is my honor to request a good friend to every person in the state to deliver the invocation on this auspicious occasion, His Excellency, the Most Reverend Thomas A. Connolly, Archbishop of Seattle."

"IN THE NAME OF THE FATHER AND OF THE SON AND OF THE HOLY SPIRIT. ALMIGHTY GOD, THE CREATOR, THE SOURCE OF LIFE AND STRENGTH WHO HAS RULED THAT WE SHOULD BE DEPENDENT FOR THESE GIFTS NOT ONLY UPON THEE BUT ALSO UPON ONE ANOTHER AND HAS LAID UPON US ALL IN A MEASURE THE DUTY OF SERVING OUR NEIGHBOR, BLESS US ALL HERE PRESENT AND GRANT US THY DIVINE ASSISTANCE AND AN ABUNDANCE OF THY GRACE TO ENABLE US TO BE CONSTANT AND GENEROUS IN THE FULFILLMENT OF THE TASKS THAT LIE AHEAD OF US.

"IN A WORLD THAT IS STRIFE TORN AND CONFUSED AND SORELY TRIED, GIVE UNTO US UNCLOUDED VISION AND FORTIFYING HOPE. HAVE COMPASSION ON OUR WEAKNESS AND AUGMENT OUR STRENGTH. FOSTER IN US, ALL-KNOWING GOD, THE VIRTUES OF HUMILITY AND ZEAL, OF THOUGHTFULNESS AND COURAGE, OF UNSELFISHNESS AND LOVE. HEAR US, O LORD, AND SEND FORTH THY LIGHT AND THY TRUTH. SEND THEM FORTH ESPECIALLY INTO THE MINDS AND HEARTS OF THOSE WHO LABOR IN THE FIELD OF GOVERNMENT, WHO RULE AND LEGISLATE AND JUDGE AND TEACH, THAT THROUGH THEIR LIVES AND OUR FREEDOMS, WE BE PRESERVED FROM BLINDING PRIDE AND VAIN THOUGHT THAT DARKEN COUNSEL.

"HEAR US THEN, O LORD, AND SEND FORTH THY LIGHT AND THY TRUTH. LET THIS COUNTRY NEVER FORGET ITS HIGH VOCATION TO TEACH ALL NATIONS OF THE WORLD BY WORD AND BY EXAMPLE THE PRINCIPLES OF GOD-GIVEN LIBERTY AND REVERENCE FOR THE RIGHTS OF MEN. RESTORE AND PRESERVE IT IN THE WAY OF PEACE. WATCH OVER ITS INSTITUTIONS. LET THY PURITY KEEP IT PURE, THY FAITH ENKINDLE IN ALL HEARTS FAITH AND CONFIDENCE, BY LOVE INCREASE IN ALL A TENDER AND COURAGEOUS LOVE OF GOD AND COUNTRY. BLESS US, WE PRAY THEE, WITH THE INTELLIGENCE AND THE COURAGE WE NEED SO THAT ALL OF US MAY PUT ASIDE ANY SELFISH

INTERESTS AND WORK DILIGENTLY TO ACHIEVE THAT CHERISHED GOAL, AN AMERICA IN WHICH ALL PEOPLE REGARDLESS OF RACE, COLOR, CREED OR NATIONAL ORIGIN MAY HAVE THE OPPORTUNITY TO LIVE IN PEACE AND HAPPINESS. GIVE US WE PRAY AN EXACT UNDERSTANDING OF SOCIAL AND CIVIC UNITY AND HUMAN SOLIDARITY.

"LET US NOT FORGET THAT ALL MEN ARE ONE IN THEIR CREATION, IN THEIR REDEMPTION AND IN THEIR SUBLIME DESTINY. INSPIRE IN US, O HOLY SPIRIT, AND IN ALL THE CITIZENS OF OUR DEARLY BELOVED LAND, A LIFE OF PRACTICAL LOYALTY TO THE TRADITIONAL IDEAL; IN ESSENTIAL THINGS, UNITY; IN NONESSENTIAL THINGS, LIBERTY; IN ALL THINGS, CHARITY. MAKE US AND KEEP US ALL HUMAN INSTRUMENTS OF THY WILL AND THY PEACE AND MAY THE HIGH PURPOSE OF OUR ENDEAVORS SERVE TO DRAW US EVER CLOSER TO THEE, OUR FIRST BEGINNING AND OUR LAST END. THROUGH CHRIST OUR LORD. AMEN."

The President of the Senate: "Mr. Speaker, Archbishop Connolly, and good Washington citizens all, it is with humility and pride that I am now honored with the distinct privilege of presenting to you a close friend of many years, Warren G. Magnuson, the fourth ranking member in seniority in the United States Senate, the ranking member on the powerful Appropriations Committee, and the Chairman of the Committee on Commerce, from which he has promoted the public interest with his world-wide known consumer protection legislation.

"He is indeed Washington's most respected statesman and humanitarian. His constant dedication to the need for better health care for the citizens of our country and his success in providing an improved educational system for everyone are indicative of the effective representation he renders so willingly.

"When our own Evergreen State was on the brink of economic decline, Senator Magnuson spearheaded those programs which extended unemployment compensation for the many needy within our state and energetically pursued other programs which provided food for hungry people and created necessary public service employment. These various activities permitted us to sustain ourselves through the most difficult time in recent years, so that now we have the opportunity to regain our prized status as one of the most economically sound regions in the United States. We can be confident that his continued efforts will insure that he will be successful in accomplishing this goal.

"Senator Magnuson, we always need your dedicated and humanitarian efforts and I am sure that the people of this State of Washington appreciate your work as their representative in the United States Senate and will continue to select you to protect their interests for many years to come.

"Your Excellency, the Archbishop, Mr. Speaker, members of the Washington State Legislature, university presidents and distinguished guests, I present to you the Honorable Warren G. Magnuson, United States Senator."

A standing ovation was given Senator Magnuson.

Senator Magnuson: "Reverend clergy, Lieutenant Governor, Mr. Speaker, and distinguished members of this legislature and your guests here today, I first, John, want to thank you for that very generous introduction. I always like to hear it. If my mother and father were alive my mother would have believed it and my father would have just enjoyed it. But I am very appreciative of your invitation to be here today. For many reasons. First, your welcome that gives me some more courage about legislators. I have been reading lately that we have become sort of appendages to the government operation. And maybe getting a little impotent. But I found your virile and your vigorous welcome might belie that thought.

"Secondly, coming to Olympia is a little bit of a homecoming for me. I know most of you have heard at least that I did serve in this body forty years ago. That is a long time. I do not know that your problems are any different today than they were then. But I can attest to the fact as a legislator too that there are more of them. We were down here in some troublous times. We had hunger marches. We did not know what to do with unemployment which was running about thirty percent. We had a sixty-day session. Times were so tough that we could not last more than two months. And then I came down here once again for a special session and the problem was whether we would stick to the problem at hand. And

you know what that was? To repeal the eighteenth amendment. Wasn't much problem there. And that is all. We stuck to that problem because everybody wanted to get home quick and get some real live beer. So we did not stray at all. So I had some experience here and I think, however, that legislators as time goes on, I say it is probably some of the same problems that you have to grapple with. But I think your work becomes more and more important because people are more conscious of what you are doing. People are more informed than usual and that is good. But the legislative branch of any government, state or national or local, is not a useless appendage. The people need you more than ever.

"And lastly, probably the best reason why I appreciate your invitation is that in this day of increasing and complex federal, state and local governmental relations and, right or wrong, the interlocked fiscal dependency on each other, state, local and federal, it becomes important that we of the legislative branches touch base as often as possible. And I can speak for the entire Washington delegation on that. And we have enjoyed a good working relationship with the state legislature, our delegation, from the Governor, from state officials and from your legislative committees.

"There has grown up in this country because of some of the problems you face locally and nationally even greater independence in legislative matters. I am not talking about fiscal matters—legislative matters. I have been long active, as you know, as Chairman of the Senate Commerce Committee in consumer matters, in safety matters, and all those things that go with it. And at the federal level there is always an attempt to not take away anything from the states, but try to achieve some new uniformity in laws that should be passed and cover the whole country. I could refer to many of them here today but I won't take up your valuable time. And so the states have to follow suit. And sometimes we say to the states, or the federal proposals say to the states, 'Here are some minimum regulations'. They might involve safety, flammable fabrics, truth in packaging, I could name fifteen, twenty that we have offered. But we want the state legislatures to keep in touch and we with them and they with us so we might have some uniformity. Otherwise some people want federal laws to take effect. Supersede you. That I do not want.

"And you have in this session, and I understand you are going on after you quit, you are going to have to take up some of these things. No fault insurance. The President of the United States and I agree on no fault—we do not agree on many things but we do on this. He says it is an idea whose time has come. And it has. But he says, 'Let the states do it. See how they do. How they come out.' And I said, 'Agreed,' and that is what we are doing. I am holding up the bill to see what the states are going to do about it because it is an idea whose time has come. You cannot go on for long paying seventeen billion six hundred million in premiums, the American public, in auto insurance and getting back seven million eight in claims and justify for very long, can you? Something has got to be done.

"There are other matters that involve safety the legislature has to fit in; for instance out of Commerce Committee have come some boating regulations, that is a good example. You have got to fit into what you want in the state. And have some minimum regard to some of these things that might be, even if not necessarily in a federal bill, it might be just even in a proposal. So you have much of that to do. And we must maintain that relationship because that is the strength of legislative bodies.

"But right now we have the battle of the budget. Now we are talking about dollars, which will tax the strength of any legislative body to the utmost. We are part of a check and balance system. However, it looks like the President has taken the check and things are getting a little out of balance. But the people elected you to exercise check and balance, and if we do not do that as legislators we are going to see our democracy deteriorate. And we are not ready yet in this country, in my opinion, with three branches of government, a democracy that is now functioning, we are not ready yet for one man revolution. I do not think any legislative body is. We are not ready either to give up our responsibilities in the legislative branch because, historically, when that happens, when legislative branches of any government, national or local or state, are rendered not necessarily impotent but their powers are diminished, that is the way you start down the road to a lot of things that we do not want to happen. Read your history if you do not believe me.

"So we are adopting, and I am sure you are too, on this battle of the budget this attitude: Budgets are created for the executive branch to give the legislative branch guidelines, to get the thinking of the legislators on fiscal problems so that the two branches

can reason together. Budgets were not meant to be edicts or commands. There has got to be a give and a take. And if the President of the United States expects us to accept a budget line for line, dollar for dollar, we might as well fold up and go home. The Constitution says very clearly in the state and in the nation, our national Constitution, that the legislative branch shall raise the taxes and make the appropriations and make decisions on them. And it means just that. The budget is a guideline. And so it means that each branch should examine the advice of the other and arrive at some fiscal reason. And when an executive feels strongly about that he has the right to a veto. And if we feel strongly about it we have a right to override him. I know a little bit about that subject. I am the most vetoed Senator in the United States. I handle the HEW appropriation bill which is the largest money bill in the United States Senate. I have been vetoed three times and I do not want to get vetoed again. I hope that we can work this matter out.

"But Congress has been given the label of being big spenders. I have listened to that. I guess you legislators get that too, don't you, down here, in some shape or form? Well, the truth of the matter is that we appropriated less money last year than the budget asked, to the tune of six billion seven, eight billion one the year before, and very seldom does Congress over-all go over the budget. The President has talked about a spending ceiling which affects you indirectly and directly that should stabilize the national economy and I think it would. And we have no trouble or any problem about a ceiling. What we are talking about is not limits or ceilings but we are talking about priorities, what we spend it for. And there is where the difference occurs. And it would be a foolish politician, in my opinion, who would suggest that all programs have worked perfectly. Some have outlived their usefulness. You ought to know the problems I have with HEW. Every time I turn around there is a new Secretary. I have served under seven in this bill already. And there is a new program. I'll bet the sign painter down there is the busiest fellow in town. He has got to work twenty-four hours a day. Maybe the sign painter over here is the busiest fellow in town too, which confuses you.

"But the Chief Executive or members of our Appropriations Committee or subcommittees, we applaud a President when he points out a bad program in his opinion. But we have the responsibility to assess it, see whether it should go ahead, but when we get a ruling that we must take a budget or leave it, or that they will not spend it even if a veto is overridden, that guts all legislative responsibility. I cannot find out what they are going to impound but I wish I could give you some advice on that. The sign painter down there hasn't changed much. It just says 'Impounded.' It is the biggest ice box in Washington, I will tell you that. For all kinds of programs. But we have not had a chance to examine all the figures and to jointly arrive at some decisions.

"But I want to take advantage of your kind invitation and your time today, if I may, to take a quick look with you at some of the programs we are talking about. On dollars and cents, cold print in the budget, which even if we appropriated more we have no guarantee that anybody will spend it or we have no guarantee that it will not be impounded again even after we override a veto.

"Here are the kinds of programs we are dealing with. Public employment programs, Medicare. It is going to cost everybody if these figures stick on Medicare, in my best opinion, about twenty-five percent more, the people that need it the most. The Regional Medical Programs, pollution control, community mental health centers, Model Cities, the Public Service Hospitals, the one in Seattle, they are going to close that one up. I got word the other day. The one on Beacon Hill. Health research, libraries, and a thing that you people worked on long and hard and come to some judgment, all the funds for coastal zone management, which is pretty important to this state. Housing assistance. I do not know what the housing program is going to be now but surely it is going to change in another direction. Neighbors in Need, which we have been able to get a little money for people that needed to be fed. That is out.

"And how does this affect the state of Washington? The Governor suggests that maybe it is not as bad as it looks. I read that in the paper. I hope he is correct. But my best estimate that you are going to lose, directly or indirectly in the state of Washington between a hundred and fifty million and two hundred million dollars. And I am going to send to the Appropriations Committee, again when we can put this in better perspective, some of the figures. What it looks like. This year the state of Washington will receive under this year's

budget about four billion dollars in federal revenue from all sources. About one-fourth of it from the HEW appropriation as it now exists. But that is going to be cut under the programs suggested that we take out. What is going to happen in Kitsap County, Red? Coulee City? You people from Tacoma, if the impacted area school aid is discontinued? That has been proposed. And there I know the figure. That is fifteen million dollars in the state of Washington. So I just point these out. We can add them all up, but indirectly and directly you people are going to have a real problem because you do not know exactly yet just what is going to happen.

"Well, there has been fourteen billion dollars impounded in the United States. There is no money in for oceanography. Highway funds. But I cannot blame this administration for impounding highway funds. Everybody, every President I have known has always taken a grab at that money. People in Washington administrations and departments just cannot stand to see a trust fund sitting there idle. They have just got to open up and get at it. Many Presidents have done that.

"We passed a bill in the last session of Congress, which the President signed and helped us a great deal on the whole question of higher education, capitation grants. That directly affects you people, what you may do or have to do or not do for state institutions. Up vocational training, which has been cut. And this is a field we thought we were doing some good for the future, to stop some of the unemployment problems. So you have a new federal budget that, unless there is some turnabout or some sitting down and reasoning as was intended, that may require you to abandon or drastically slow up programs that you have once determined and determined over and over again, at least it is your opinion, that they are needed for the well being of the state of Washington. You will have to put up your own millions of dollars or reverse yourselves on some of these programs completely. That I do not think we are going to do. Maybe, as your distinguished Speaker—I read in the paper the other day, we may have to go back and start all over again. I hope that will not be true.

"Now there has been a lot of talk, well you can take care of some of this with revenue sharing, hasn't there? A lot of pious speeches about it. I voted for revenue sharing, as long as you wanted to share the deficit with us I thought it was all right. But I do not see any hope that it can be increased much above what it is now and there are some plans for special revenue sharing, I guess, on school matters. I cannot be optimistic about that. Then there has been a lot of talk along with revenue sharing, oh, a lot of speeches. I listened to them up until November and then they quit for a while. We are going to do something about property taxes. Well, I said we were going to do something too. We all did. There is no way that the federal government can do anything about property taxes, local property taxes, except one thing and give you a tax credit instead of a tax deduction. Now there are some bills in for that. Some for older people, some for people who may be crippled or infirm. About ten or twelve bills. And there may be some relief for property taxes if we get down to a tax credit. But that again will add to the federal budget. But I would rather do it that way and have it done directly than to collect some more money in the general fund and say, 'Oh, well we are going to do something more about revenue sharing.' Revenue sharing gets lost, you know, sometimes when you pass it out. Cities—oh, every mayor in the state of Washington wants to see me this week. Pretty near every one. So I cannot give you much hope of more revenue sharing, but maybe we can do something with a tax credit. You have a deduction now.

"But none of these things can be resolved until July, August, September, whatever have you, the way we go in session. We are in session twelve months out of the year, usually. So I do not know how you can do much planning yet until we get some of these ducks in the row. The President is asking us, in effect, or the budget people, to mark time while we revolutionize the budget making process. And even if a change of this magnitude should make ultimate sense, and I doubt if it does, I think the brakes should be applied a little slowly and not abruptly, not slammed down to the floor boards in one fell swoop in a one man revolution. And not just because a small coterie of people in somewhat of an ivory tower decide that this is what is best for the American people and that does not necessarily make it so. Legislative bodies are the ultimate to make that decision. They are elected by the people.

"So as an old legislator I am not going to roll over yet. I am going to see what I can do to reason, see what programs can be taken care of. I cannot have everything I want. Nobody else can. See if we can do something to help the states and in my particular case, this state, in taking care of some of these programs, some of them that I know are worthwhile. And if some of them are not, it is not the fault of legislative bodies, it is bad administration. That is what it is in some cases. Bad administration.

"Now it comes back to priorities. I think we all applaud the administration and the President in doing a fine job in laying the groundwork for peace in the world. I do. The beginnings. I hope it works all the way through. People are getting dogged tired of war everyplace in the world. But when you do this, I am hopeful we will have some kind of a bonus. The money not being spent for the stupid business called war, we ought to have a bonus to do something for the American people at home. But the budget ups the defense department. Five billion seven hundred million dollars. That is kind of a strange paradox, isn't it? And I do not know what the details are. I am not privy to a lot of things down in the White House any more. I used to be. But I do know that to arrive at this peace, maybe they did not want to do it, to arrive at some of the things, that there had to be a promise that they would try and spend x billions of dollars for the rehabilitation of North Vietnam.

"Now the President has not got any money to spend. He has got to come to Congress to get the money just like the Governor has got to come to you. And I just do not know how I am going to feel about that. But I will tell you one thing, that if I have to make a choice between building a hospital in North Vietnam and an addition to the Orthopedic Hospital in Seattle which was in the budget and vetoed for lack of funds, you know what side I am going to be on, don't you? Maybe we do not have to make that hard choice. We ought to be able to do it all.

"Balance of payment deficits, that is causing indirectly you people trouble. And now for the last four sessions of Congress the distinguished Senator from Montana, Mr. Mansfield, and I have put an amendment in every foreign aid bill we could think of to bring back at least four divisions or five divisions from Europe. It costs hundreds of thousands of dollars. If they cannot get along over there after twenty-some years they will never get along. This is costing us billions. These are the things we want to use for the things I am talking about. The programs that you are worried about. I did not see anybody over in Europe weeping any tears about devaluating the dollar the other day, did you? Pretty smug, weren't they? Not a word said that that same good hard American dollars that we put in the Marshall Plan brought them back to their economic prosperity. No sympathy at all for that.

"And these are the kinds of things when I talk about priorities. And I think though that all members of Congress, most of them, if we have not learned that lesson we ought to all go home. We cannot keep on trying to police the whole world. Now I haven't mentioned EDA. That is out. Some of you people in the smaller counties have had something to do with that. Port commissions, county commissioners and others. And unspent consumer money to enforce consumer bills. I could go on and on. But I am not going to any more.

"But I do not think any executive has a monopoly on what is best for the United States of America. I think we should sit down and reason, accept their advice, maybe if we disagree, all of us, we can arrive at some conclusion that will help us. This country is a good rich country yet. It is a question of what we spend our money for and how we do it.

"I do not like big government particularly. It would make my job much easier if you did not have. I see you all every once in a while. You are back there. Particularly around appropriation time. And I am glad to see you. We should get government out of some of these things as rapidly as possible. But if they are good programs and somebody has to pay for them and they cannot be paid for by the local people or the people at home, then I say it is good business for the welfare of the United States that we take hold of them and see that they are run rightly and they are at least reasonable programs for our future. That is what I think.

"Health manpower, we are forty thousand doctors short in the United States. Dentists, I do not know how many. All you have to do is make an appointment with a dentist and not show up and then you will figure how scarce they are. He will tell you to come back next month sometime. Nurses, libraries for elementary schools. These things are for our future.



"And if we do not continue the good programs and do the best kind of a job we can within our capabilities, let me tell you something, as an old legislator dealing with appropriations, it is going to cost you much more in the future. This is the best investment you can make.

"Thank you."

The President of the Senate: "Thank you very much, Senator Magnuson, for your most interesting and informative remarks. Ladies and gentlemen, as I listened to the remarks of Senator Magnuson and the prayer of Archbishop Connolly, the thought struck me that it would be well nigh impossible any place in the world to bring together two people at the same time on the same platform who have performed more and greater humanitarian services than these two men. I want you to know, Archbishop Connolly and Senator Magnuson, that we are indeed happy and proud that you honored us with your presence today.

"And now, ladies and gentlemen, it is my pleasure to present to you the only native Washingtonian that is seated on the rostrum. This young man has a long career in public service, starting out as a prosecuting attorney and serving for almost two decades in the state House of Representatives. Lennie is a native of Puyallup, a graduate of the University of Puget Sound where he achieved an outstanding athletic career and a graduate of the University of Washington Law School with honors, had a brilliant career in the United States Navy during World War II and now is Speaker of this state House of Representatives."

The Speaker of the House: "As Senator Magnuson said, I like it and I wish you would come out to my district more often, John. At this time I would like to ask that Senator Knoblauch and Senator Gardner and Representative Gaspard and Representative Bauer form an escort to escort the Superintendent of Public Instruction, the Honorable Doctor Frank Brouillet, to the rostrum."

"Ladies and gentlemen of the House and Senate, I would like at this time to present the former junior member from the twenty-fifth legislative district, who has gone on to mightier heights, at least he now has risen to the heights of Superintendent of Public Instruction. Now I think that all the things that Lieutenant Governor Cherberg said about my basic career is paralleled by my former junior member, having also gone to Puyallup, also having been an all state football player and an all state basketball player, going on with athletic scholarships and etc., and then serving some sixteen years in the legislature. I would like to present the Honorable Doctor Frank Brouillet, our Superintendent of Public Instruction."

Dr. Frank Brouillet: "Thank you, Leonard. Mr. Speaker, Governor Cherberg and Archbishop Connolly and Senator Magnuson and fellow elected officials and guests, it is a good deal of pleasure for me to be here today. I first thought maybe I would be able to pick up a little money from the Senator for the schools. I guess that is not going to work out.

"In lieu of that I do have here, though, an award I would like to present to Senator Magnuson on behalf of the National Association for Continuing and Adult Education. Each year the National Association selects one person in the United States who has done the most for continuing and adult education. This year the recipient of that award is Senator Magnuson, because of his strong support of education in general but adult and continuing education in particular. This award was made to the Senator in November in Minneapolis but he was not able to attend, so it is with a great deal of pleasure here today, Senator, that I present to you the Outstanding Merit Award for Continuing and Adult Education from the National Association."

Applause.

The President of the Senate: "Senator Magnuson, it has been a delightful pleasure to have you with us. I am sure everyone in hearing distance certainly enjoyed and appreciated your remarks. Thank you so much for being with us."

The committees of honor escorted Dr. Brouillet, Most Reverend Thomas A. Connolly and United States Senator Warren G. Magnuson from the House Chamber.

The President of the Senate: "Mr. Speaker, members of the House, members of the House staff, ladies and gentlemen, it is always a delightful pleasure to visit you and we only wish we could do it more often. Thank you."

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

The Speaker requested the Sergeants at Arms of the House and Senate to escort President Cherberg, President Pro Tempore Henry, and Vice President Pro Tempore Keefe and the Senators to the Senate Chamber.

#### SECOND AFTERNOON SESSION

The President called the Senate to order at 3:05 p.m.

#### MOTION

At 3:10 p.m., on motion of Senator Bailey, the Senate adjourned until 10:00 a.m., Thursday, February 22, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### FORTY-SIXTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 22, 1973.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Newschwander. On motion of Senator Lewis (Harry), Senator Newschwander was excused. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages William Walsh and Diane Collins, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

"ON THIS DAY WHICH IS THE NATAL DAY OF OUR FIRST PRESIDENT, GEORGE WASHINGTON, I THINK IT IS UNIQUELY FITTING THAT WE REMEMBER HIM NOT ONLY AS THE FATHER OF HIS COUNTRY AND ITS FIRST ELECTED LEADER, BUT THAT WE ALSO RECALL ANOTHER QUALITY OF HIS LIFE. IN THE BOOK OF COMMON PRAYER OF THE EPISCOPAL CHURCH THERE IS A PRAYER FOR THE PRESIDENT OF THE UNITED STATES AND ALL IN AUTHORITY WHICH IS THERE EXPRESSLY BECAUSE MR. WASHINGTON, WHEN HE WAS PRESIDENT, ASKED FOR IT TO BE INCLUDED AMONGST THE REGULAR PRAYERS OF THE SUNDAY WORSHIP IN THE CHURCH. WITH ONE OR TWO SLIGHT MODIFICATIONS, I WOULD LIKE TO USE THIS PRAYER THIS MORNING. LET US PRAY: ALMIGHTY GOD, WHOSE KINGDOM IS EVERLASTING AND POWER INFINITE, HAVE MERCY UPON THIS WHOLE LAND AND SO RULE THE HEARTS OF THY SERVANTS, THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF THIS STATE, AND ALL

OTHERS IN AUTHORITY—ESPECIALLY THE MEMBERS OF THIS SENATE OF THE STATE OF WASHINGTON—THAT THEY, KNOWING WHOSE MINISTERS THEY ARE, MAY ABOVE ALL THINGS, SEEK THY HONOUR AND GLORY, AND THAT WE AND ALL THE PEOPLE, DULY CONSIDERING WHOSE AUTHORITY THEY BEAR, MAY FAITHFULLY AND OBEDIENTLY HONOUR THEM, ACCORDING TO THY BLESSED WORD AND ORDINANCE. THROUGH JESUS CHRIST OUR LORD, WHO WITH THEE AND THE HOLY SPIRIT LIVETH AND REIGNETH EVER, ONE GOD, WORLD WITHOUT END. AMEN.”

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

February 21, 1973.

ENGROSSED HOUSE BILL NO. 86, implementing law relating to public records and their retention, protection, disposal or reproduction (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 21, 1973.

ENGROSSED HOUSE BILL NO. 98, requiring the director of the department of labor and industries to notify the county prosecutor of suspected violations (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 175, making certain amendments to the public employees' collective bargaining (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 21, 1973.

SECOND SUBSTITUTE HOUSE BILL NO. 176, implementing the laws relating to public employees (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 21, 1973.

ENGROSSED HOUSE BILL NO. 217, providing procedures whereby the state treasurer can invest certain surplus funds in time deposit accounts (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 224, making certain changes in the executive conflict of interest act (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 278, implementing the law relating to joint school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 21, 1973.

ENGROSSED HOUSE BILL NO. 330, changing the laws of involuntary dissolution of miscellaneous and mutual corporations (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Woodall.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE BILL NO. 331, requiring reports of foreign corporations and reducing the penalty for filing late reports (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 373, reconciling certain double amendments and conflicting provisions in education code (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 22, 1973.

ENGROSSED HOUSE BILL NO. 477, providing for the approval, control, and regulation of associated student body activities and moneys (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 21, 1973.

ENGROSSED HOUSE BILL NO. 489, allowing bargaining units of public employees to be union shops (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

February 21, 1973.

HOUSE JOINT MEMORIAL NO. 5, requesting issuance of an Expo 74 commemorative postage stamp (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2803, by Senators Donohue, Durkan and Odegaard:

An Act adopting the budget for the superintendent of public instruction; making appropriations and authorizing expenditures for the operations of the superintendent of public instruction for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

#### MOTIONS

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 2803 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, Senate Bill No. 2803 was held for consideration later today.

At 10:10 a.m., on motion of Senator Durkan, the Senate recessed until 11:20 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:20 a.m.

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 117 was ordered to hold its place on the second reading calendar for Friday, February 23, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 153, by Representatives Gaspard, Kelley, Knowles and Parker:

Providing for distribution of session laws, house journals, and court reports to the University of Puget Sound law school.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 153 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 153, and the bill passed the Senate by the following vote: Yeas, 40; nays, 5; absent or not voting, 2; excused, 2.

Voting yea: Senators Bottiger, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Voting nay: Senators Canfield, Guess, Matson, Sellar, Talley—5.

Absent or not voting: Senators Atwood, Bailey—2.

Excused: Senators Dore, Newschwander—2.

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.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Lewis (Harry) served notice that he would, on the next working day, move that the Senate reconsider the vote by which Engrossed House Bill No. 153 passed the Senate.

#### SECOND READING

SENATE BILL NO. 2438, by Senators Donohue, Guess, Sandison and Durkan:

Allowing money from liquor revolving fund to universities to be used for alcoholism and drug addiction research.

The Senate resumed consideration of Senate Bill No. 2438 and the pending amendment by Senator Whetzel to page 1, section 1, line 18.

There being no objection, the amendment by Senator Whetzel was withdrawn.

Senator Day moved adoption of the following amendment:

On page 1, section 1, line 23, following "institutions:" insert "*PROVIDED, That when the study involves alcoholism it shall be done with the advice of the citizens' advisory council as set forth in RCW 43.20A.360.*"

#### POINT OF INQUIRY

Senator Guess: "Will Senator Day yield? Senator Day, will you state for the record that this is not mandatory and that they do not have to be totally guided by the Citizens Advisory Committee?"

Senator Day: "I would certainly state so and I believe that it reads that way. It says, 'Provided that when the study involves alcoholism it shall be done with the advice of the Citizens Advisory Council.' Now I had advice and consent in there and upon discussing this with Senator Sandison we felt that that was a little too strong. That would mandate that they do exactly what they said and that is not the intent at all."

Senator Guess: "Thank you, Senator Day."

The motion by Senator Day carried and the amendment was adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 2438 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2438, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Durkan—1.

Excused: Senators Dore, Newschwander—2.

ENGROSSED SENATE BILL NO. 2438, having received the 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. 360, by Representatives Bauer, Kraabel, Erickson, Ceccarelli, Gaines, Laughlin and Paris:

Authorizing use of school buses to transport elderly persons to beneficial programs or activities.

The bill was read the second time by sections.

Senator Rasmussen moved adoption of the following amendment:

On page 3, line 11, add a new section as follows:

“Sec. 3. Section 46.44.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 248, Laws of 1971 ex. sess. and RCW 46.44.030 are each amended to read as follows:

It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five feet [, except]: *PROVIDED*, That an auto stage or school bus shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet [, but]. *PROVIDED FURTHER*, That any such school bus shall be equipped with three axles: *PROVIDED, FURTHER*, That the operation of any such auto stage upon the public highways shall be limited as determined by the state highway commission, and the operation of any such school bus upon the public highway shall be limited as determined by the superintendent of public instruction in the manner provided for in RCW 46.61.380.

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

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

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

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

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

Renumber the remaining section.

#### POINT OF ORDER

Senator Guess: “Mr. President, I raise the question of scope and object on the amendment.”

The President: “Senator Guess has presented the point that the amendment proposed by Senator Rasmussen changes the scope and object of the bill.”

Senator Guess: “In the first place, Mr. President, I do not believe that the expense of the three-axle school bus would cause too many problems in the state. I think that rather than larger school buses we need smaller school buses because of the opportunity for multiple deaths when you have the larger school buses. I think this is the wrong direction in which to go and I think it does exceed the scope and object of the bill.”

#### POINT OF INQUIRY

Senator Rasmussen: “Would Senator Guess yield to a question? Senator Guess, the first question is why did you do that, and the second question is why would there be any

more reason to think that a thirty-five foot bus would be in any less accidents than a forty-foot bus jammed with children than you have the thirty-five foot bus?"

#### POINT OF ORDER

Senator Woodall: "A point of order has been raised. Discussions as to policy are improper at this time. The only proper discussion is a discussion as to the enlarging the scope and object of the bill."

#### RULING BY THE PRESIDENT

The President: "Senator Woodall's point is well taken."

#### RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Guess finds that House Bill No. 360 is a measure which grants to elderly people as defined in the bill privileges similar to school children with regard to their use of school buses. The amendment proposed by Senator Rasmussen, however, pertains to the length of school buses and requires three axles on all school buses and in addition the amendment provides that the use of school buses shall be under the control of the Superintendent of Public Instruction. The proposed amendment therefore does increase the scope and object of House Bill No. 360 and the point of order as presented by Senator Guess is well taken."

The motion by Senator Rasmussen failed and the amendment was ruled out of order.

On motion of Senator Gardner, the following amendment was adopted:

On page 3, section 3, line 14, after "age." add: "No school district funds may be used for the operation of such a program."

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 360, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 360, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Guess, Scott, Twigg—3.

Absent or not voting: Senator Peterson (Ted)—1.

Excused: Senators Dore, Newschwander—2.

ENGROSSED HOUSE BILL NO. 360, 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.

HOUSE BILL NO. 307, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to judges' retirement system—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 307 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 307, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Durkan, Matson, Peterson (Ted)—3.

Excused: Senators Dore, Newschwander—2.

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. 308, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to fees of clerks of superior courts—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 308 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 308, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—44.

Absent or not voting: Senators Peterson (Ted), Scott, Woody—3.

Excused: Senators Dore, Newschwander—2.

HOUSE BILL NO. 308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 309, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to county budgets—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 309 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 309, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf,

Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Peterson (Ted)—1.

Excused: Senators Dore, Newschwander—2.

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. 310, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to industrial insurance—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 310 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 310, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Peterson (Ted)—1.

Excused: Senators Dore, Newschwander—2.

HOUSE BILL NO. 310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 311, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to veterans' bonus—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 311 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 311, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Newschwander—2.

HOUSE BILL NO. 311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 312, by Representatives Knowles, Julin and Charette (by Code Reviser's request):

Pertaining to motor vehicle fuel taxes—code correction.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 312 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 312, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Newschwander—2.

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.

ENGROSSED HOUSE BILL NO. 21, by Representatives Barden and Shinpoch (by State Treasurer request):

Creating the state treasurer's service fund and providing for the allocation of funds thereto for the operation of the state treasurer's office.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 21 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 21, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Scott—1.

Absent or not voting: Senator Matson—1.

Excused: Senators Dore, Newschwander—2.

ENGROSSED HOUSE BILL NO. 21, having received the 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. 41, by Representative Hayner:

Providing notice requirements for voting shares of missing shareholders.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 41 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 41, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Matson—1.

Excused: Senators Dore, Newschwander—2.

HOUSE BILL NO. 41, having received the 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. 321, by Representatives Charette, King, Kilbury, Maxie, Douthwaite, Ehlers, Valle, Fortson, Gallagher, Julin, Swayze, Morrison, Newhouse, Rabel, Benitz, Brown, Hayner, Eikenberry, Hendricks, Cunningham, Tilly and Pardini:

Providing for a limitation on the private practice of law by an attorney general or any of his assistants.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 321 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Atwood: "Mr. President, would Senator Francis yield? Section 4 deals with special assistant attorneys general employed on less than a full time basis to transact business. On line 14 it says, 'Such assistants and attorneys'. Can you tell me exactly what that means? We are talking about special assistant attorneys general and I am not sure whether that is tied down tight enough. It would look like they are also referring to the attorneys covered in section 3."

Senator Francis: "Senator Atwood, I think you and I could probably have come up with better language but I think it is adequately clear and non-ambiguous. What it is saying is that anyone who is employed only on a part time basis can continue to work in his private capacity."

Senator Atwood: "And which would be categorized as just special attorneys general or part time assistant attorneys general?"

Senator Francis: "That is correct, Senator."

Senator Atwood: "That is the intent of this bill? As long as they are not full time?"

Senator Francis: "That is correct. Once they go on a full time salary, no matter whether it is only for three or four months, they are not to practice outside but if they are only part time then they can continue to handle their private practice."

Senator Atwood: "Thank you."

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Francis yield to a question? Senator Atwood's question cleared up some of it, but what do you call part time? Could the attorney general take a special assistant and appoint him as a part-time attorney general and then say 'You will be allowed to practice half day and handle the state's work the other half day as a special assistant?'"

Senator Francis: "My understanding of it and my definite understanding as to our intent is that part time people be those who are paid on a fee basis for their work supplementing the work of the attorney general. They do not go on as salaried employees. Once they are on a full time salary they are a straight employee and not a part time or special assistant. So they would not be being paid on a salary. They would be paid fees for the work done."

Senator Rasmussen: "On an hourly rate? Or on a percentage of the recovery?"

Senator Francis: "I do not know if that is limited and we certainly did not get into that. I would hope that the attorney general would restrict himself very much and not use part time employees except when absolutely necessary. I would think an hourly rate would be the only appropriate rate as far as I am concerned."

## POINT OF INQUIRY

Senator Atwood: "Would Senator Francis yield? Would this section also allow the attorneys that work for the attorney general on personal service contracts, of which there are several, to also practice law? Would that be your interpretation of this?"

Senator Francis: "I do not know the kind of contract you are referring to, Senator. Perhaps you could explain it further."

Senator Atwood: "One of the members of our body has worked from time to time on some personal service contract for one of the higher education institutions and I would take it he would be excluded from this. He is no longer a member but we have had two or three in that category. They worked on a personal service contract as assistant attorneys general. Would these people also be included in section 4 so they continue to practice law?"

Senator Francis: "I would ask for one clarifying thing and that is, would these persons be on a full time salary?"

Senator Atwood: "No, they are not. They are paid on a monthly salary but they are paid x number of dollars per month but they do not devote full time to the job at all. Maybe four or five meetings a month."

Senator Francis: "It is my understanding, for the record, that they would be included within this paragraph as being permitted to continue their practice of the law."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Francis yield? Did I understand from the remark that it is possible to hire an attorney to try a case on a percent of the amount that you recover? Would that be a proper contract?"

Senator Francis: "That is not my understanding, Senator. I would not think it appropriate."

Senator Woodall: "Well in the Alioto case we would have been a lot better off if we had done it that way."

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 321, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar,

Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Matson—1.

Excused: Senators Dore, Newschwander—2.

HOUSE BILL NO. 321, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERMISSION GRANTED

On motion of Senator Gardner, use of the Senate Chamber was granted for a public hearing, Thursday evening, February 22, 1973.

#### MOTION

At 12:10 p.m., on motion of Senator Walgren, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

#### MOTION

On motion of Senator Woodall, House Bill No. 580 was placed at the end of today's second reading calendar.

#### SECOND READING

HOUSE BILL NO. 325, by Representatives Swayze and Knowles:

Specifying venue of actions against the state.

The bill was read the second time by sections.

On motion of Senator Woody, the rules were suspended, House Bill No. 325 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

Senator Lewis (Harry) moved that House Bill No. 325 be held for further consideration at the end of today's third reading calendar.

The motion lost.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 325, and the bill passed the Senate by the following vote: Yeas, 39; absent or not voting, 7; excused, 3.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—39.

Absent or not voting: Senators Atwood, Bottiger, Durkan, Francis, Greive, Keefe, Rider—7.

Excused: Senators Dore, Lewis (Bob), Newschwander—3.

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.

At 1:45 p.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of participating in Memorial Services.

JOINT SESSION

The Sergeant at Arms 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 to a seat beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the bar of the House.

The Speaker called the Joint Session to order and turned the gavel over to the President of the Senate.

With the consent of the Senate and the House, the roll call was dispensed with.

The President of the Senate: "Honored members of the Legislature, ladies and gentlemen: The purpose of this Joint Session is to pay tribute to the memories of our distinguished former members of the House and the Senate."

The President of the Senate requested that Senator Bailey and Representative Patterson escort Representative Hurley to a seat on the rostrum.

The President of the Senate: "Honored members of the Legislature, Mr. Speaker, Reverend Clergy, ladies and gentlemen: On such a memorable occasion, it is only proper and fitting that we should have someone of Representative Margaret Hurley's caliber and stature in the State of Washington to conduct the services. It is with the greatest pride that the Speaker and I present to you, Mrs. Margaret Hurley."

The President of the Senate turned the gavel over to Representative Hurley.

Representative Hurley instructed the Sergeants at Arms of the Senate and the House to escort the memorialists into the House Chamber.

The following services were observed:

MEMORIAL PROGRAM

Presiding: President of the Senate John A. Cherberg.

Chairwoman: Representative Margaret Hurley.

INVOCATION

by

Father William Treacy

St. Michael's Catholic Church, Olympia

"GOD, SOURCE OF LOVE, GIVE TO ALL OF US HERE PRESENT AN INCREASE OF LOVE THAT WILL MAKE US SENSITIVE TO AND APPRECIATIVE OF OTHERS. LET LOVE ENTER OUR HEARTS TO MAKE US GRATEFUL AND NOT TAKE FOR GRANTED THE SERVICES OF THOSE WHO HAVE SERVED IN THESE LEGISLATIVE HALLS AND WHO HAVE NOW ANSWERED THE LAST AND FINAL ROLL CALL.

"FOR THEIR EFFORTS ON BEHALF OF THE PEOPLE OF THIS STATE, WE SAY THANKS.

"LET US SHOW OUR THANKS AND APPRECIATION BY RENEWING OUR FAITH IN THE DEMOCRATIC PROCESS WHICH THEY HAVE SERVED SO WELL AND HANDED ON TO US AS A PRECIOUS HERITAGE. LET US NEVER FORGET THAT THE OPPORTUNITY TO BE OF SERVICE TO OTHERS IN ANY CAPACITY IS BASICALLY A PRIESTLY MINISTRY.

“TODAY WE RECALL THE MEMORY OF THOSE WHOSE VOICES WILL NEVER AGAIN BE HEARD BENEATH THIS BEAUTIFUL DOME. HELP US TO SEE DEATH NOT AS EXTINGUISHING THE LAMP, BUT PUTTING OUT THE LAMP BECAUSE THE DAWN HAS COME. IN MEMORY AS WE TURN OUR THOUGHTS AND HEARTS TO THOSE LEGISLATORS WHO HAVE DIED, HELP US TO BE SENSITIVE TO THE CAUSES FOR WHICH THEY GAVE THEIR DEVOTION. LET US BE SENSITIVE TO THE VOICES OF THOSE WHO CANNOT SPEAK TO US IN THESE HALLS, NOT BECAUSE DEATH HAS STILLED THEIR VOICES BUT BECAUSE POVERTY, ILLNESS, MISFORTUNE HAS TOUCHED AND SEARED THEM, AND THEIR VOICES ARE MUTED BECAUSE HOPE FOR IMPROVEMENT AND CHANGE IS DEAD IN THEIR HEARTS. AS WE EXPRESS OUR LOVE FOR THE DEAD TODAY, RENEW, OH GOD, OUR LOVE FOR THE LIVING, FOR EACH OTHER, AND ESPECIALLY FOR THE PEOPLE WHO ARE POOR AND DOWNTRODDEN. AMEN.”

ABERDEEN GOLDENAIRES

Doyle Cummings, Director

- “Morning Has Broken” . . . . . Cat Stevens
- “Peace on Earth” . . . . . Carl Strommen
- “Lo How A Rose E'er Blooming” . . . . . Hugo Distler

MEMORIAL TRIBUTE

by Representative Margaret Hurley

“Lieutenant Governor Cherberg, Mr. Speaker, Father Treacy, Reverend Dr. Rahn, members of the Senate and House, relatives and friends of our departed colleagues, and guests:

“Life and death are nonpartisan. Political differences vanish at the grave. Our activities here, however, by their very nature, must be concerned with different viewpoints. The success of democratic government presupposes that dedicated men and women of honor and integrity will take issue with one another. There will be differences of opinion, which discussion and debate will resolve for the good of all. It is an ancient truth that we bring nothing into the world, and surely take nothing out of it. It is not what we bring in, or what we take out—it is what we leave behind after having been here that makes our record in life. It is most fitting then that once again the Legislature of the State of Washington, in Joint Session, respectfully meditate and recall to our minds the achievements, contributions, merits and dedication of our departed colleagues—colleagues who believed citizen participation in state government to be a precious opportunity—an opportunity to become involved in all that is meaningful in the daily life of the communities in which they lived and worked. A fleeting moment between birth and death, in which to speak, to act, and to fulfill the duties of this high office.

“As our tributes are paid this day, may each of us recall silently the dedication, devotion, achievements, and the delightful individual character traits of each. And above all, let us remember that for a small remuneration, these men and women gave their time and service out of dedication and in an era which seems abundant with attempts to belittle the dedication of public servants. May you and I take firm resolve to renew our dedication, and may this moment be one of renewed devotion. For the greatest tribute which can be paid to our departed colleagues is that the recollection of their lives and deeds has renewed our faith, courage and fervor, and has in the history of the state of Washington made this a finer hour.”

The Lord's Prayer by Malotte . . . . . Marilyn Hoyt,  
State Arts Commission



Accompanist .....	Jane Edge, Director of Music, St. John's Episcopal Church, Olympia
Benediction .....	Henry S. Rahn, D.D., First Baptist Church, Olympia
Taps .....	John Umlauf, Evergreen State College

IN MEMORIAM

In tribute to the memories of our distinguished former members of the House and Senate who have passed from among us during the preceding biennium, the Forty-third 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:

Eva Anderson  
 George Elmer Brown  
 Asa V. Clark  
 W. Ward Davison  
 Hayes Elder  
 Frank C. Jackson  
 H. N. "Barney" Jackson  
 John R. Jones  
 Harold B. Kellogg  
 Dick J. Kink  
 Tom Martin  
 John T. McCutcheon  
 Dr. James L. McFadden  
 Leslie Peterson  
 Payson Peterson  
 George W. Roup  
 Oscar R. Schumann  
 Joseph H. Smith  
 George L. Sorensen  
 M. M. Stewart  
 Earl R. Warnica  
 George D. Zahn  
 Harold Zent

Tribute by:

Earl F. Tilly  
 William J. S. "Bill" May  
 Hubert F. Donohue  
 John Stender  
 Dave Ceccarelli  
 Charles E. Newschwander  
 A. L. Rasmussen  
 Joe D. Haussler  
 Eric O. Anderson  
 Geraldine McCormick  
 Del Bausch  
 R. Ted Bottiger  
 Charles R. Savage  
 Dan Van Dyk  
 Charles Moon  
 Booth Gardner  
 Perry Woodall  
 August P. Mardesich  
 John L. O'Brien  
 Robert L. Charette  
 John L. Hendricks  
 Sam C. Guess  
 James P. Kuehnle

Representative Hurley returned the gavel to the President of the Senate.

The President of the Senate: "Mr. Speaker, Representative Hurley, Reverend Clergy, ladies and gentlemen: The people of our state join with the legislature in expressing our deep appreciation to you, Mrs. Hurley, and the members of your memorialist committee for the magnificent service you have provided, along with the fine memorialists. We appreciate the presence of Dr. Rahn and Father Treacy, and also the musical renditions which were beautiful. We are grateful for those who were with us. Above all, the members of the legislature, and I am sure all of the people of the state, appreciate the presence of so many loved ones who are here to honor those former members who have departed. Thank you so very much for being with us."

## MOTION

On motion of Mrs. Hurley, the Joint Session was dissolved.

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

The Speaker: "Thank you, Lieutenant Governor Cherberg. I want to echo the remarks of our Lieutenant Governor, and I think, Representative Hurley, you did a beautiful job. I think it gave us a chance to reflect on our close relationship with the many people we are honoring here today. I think you all know of their service and also know the comradeship we have lost. We want to thank each and every one of you for your participation."

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate and the Senators to the Senate Chamber.

The President called the Senate to order at 2:40 p.m.

## MOTION

At 2:45 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, February 23, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FORTY-SEVENTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Friday, February 23, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Ted Christensen and Sherry Barner, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

"ALMIGHTY AND EVERLASTING GOD, THE FATHER OF ALL YOUR CREATION, WE TURN TO YOU AT THE BEGINNING OF THIS LEGISLATIVE DAY TO PRAISE YOU FOR YOUR LOVE AND TO SEEK YOUR GUIDANCE AND DIRECTION FOR THE MEMBERS OF THIS SENATE. WE RECOGNIZE YOU AS THE LORD OF ALL CREATION, OUR FATHER, AND WE PRAY THAT WE MAY BE FAITHFUL STEWARDS OF ALL THAT YOU HAVE GIVEN US. WE THANK YOU FOR THE NATURAL BEAUTY OF OUR STATE OF WASHINGTON AND THE OPPORTUNITY OUR CITIZENS HAVE TO ENJOY THE MAJESTY OF YOUR CREATIVE POWERS. GIVE TO ALL THE PEOPLE OF THIS STATE A SENSE OF RESPONSIBILITY FOR THE PRESENT USE OF OUR NATURAL ENVIRONMENT THAT WE MAY ENJOY IT AND PROTECT IT FOR THOSE GENERATIONS OF WASHINGTONIANS WHO ARE YET TO COME.

"THE PROBLEMS THAT THE MEN IN THIS SENATE CONFRONT, O LORD, ARE COMPLEX AND MANY-SIDED. MAY THEY HUMBLE THEMSELVES BEFORE YOU THAT YOU MAY GIVE TO THEM THE GOOD GRACE OF COMMON SENSE, THE HAPPY SPIRIT OF SERVANTHOOD, AND THE INNER PEACE THAT COMES FROM DOING THE BEST ONE CAN TO DO A GOOD JOB FOR ALL THE PEOPLE OF THIS STATE. BY THE LEADING OF YOUR SPIRIT, MAY THEY PASS ONLY SUCH LAWS AS WILL BE FOR THE BENEFIT OF ALL OUR PEOPLE AND DEFEND THE FREEDOMS WE ALL CHERISH. HEAR OUR PRAYER, O GOD, IN THE NAME OF JESUS CHRIST. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 22, 1973.

ENGROSSED HOUSE BILL NO. 79, implementing the law of savings and loan associations (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 89, requiring asbestos safety gear in certain industries (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 22, 1973.

ENGROSSED HOUSE BILL NO. 134, authorizing department of natural resources to remove wood debris from navigable waters (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen.

Passed to Committee on Rules for second reading.

February 23, 1973.

SUBSTITUTE HOUSE BILL NO. 273, providing for study for need of employee walkways along railroad bridges and trestles (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 279, providing some industrial insurance benefits to inmates of juvenile forest camps (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 22, 1973.

ENGROSSED HOUSE BILL NO. 284, providing for the preservation and recording of surveys (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 397, making certain changes in the laws relating to public depositaries (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 452, enacting the Washington industrial safety and health act of 1973 (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 462, defining "clearing corporation" (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 467, authorizing any fiduciary holding securities to deposit them in a clearing corporation (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 551, providing procedures for administering the flood control permit program (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Murray, Stortini, Van Hollebeke.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 652, regulating insurance company investment (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

February 22, 1973.

ENGROSSED HOUSE BILL NO. 729, providing for measures to facilitate pollution control (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Murray, Stortini, Van Hollebeke.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 758, providing standards for the valuation of fraternal benefit insurance certificates (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman Pro Tempore; Clarke, Jones, Keefe.

Passed to Committee on Rules for second reading.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2804, by Senators Talley, Fleming and Greive:

An Act relating to revenue and taxation; amending section 5, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.380; amending section 84.56.010, chapter 15, Laws of 1961 as amended by section 2, chapter 7, Laws of 1965 ex. sess. and RCW 84.56.010; amending

section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020; and establishing an effective date.

Referred to Committee on Ways and Means.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 11:05 a.m.

#### MOTION

On motion of Senator Mardesich, the Senate immediately resumed consideration of Senate Bill No. 2803 on second reading, having been held from Thursday, February 22, 1973.

#### SECOND READING

SENATE BILL NO. 2803, by Senators Donohue, Durkan and Odegaard:  
Adopting a budget for the superintendent of public instruction.

On motion of Senator Durkan, the Senate resolved itself into a Committee of the Whole, for the purpose of considering Senate Bill No. 2803.

#### COMMITTEE OF THE WHOLE

President Pro Tempore Henry in the Chair.

Senator Metcalf moved adoption of the following amendment:

On page 4, section 2, line 20, after "Education:" insert "PROVIDED, That unless clearly required by the Constitution of the United States or the Constitution of the state of Washington, no portion of these funds shall be allocated by the superintendent of public instruction under this subsection to any school district in which any student is required to attend a particular school solely because of his or her race, creed, sex, or color."

#### POINT OF ORDER

Senator Durkan: "Mr. President, at this time I would like to raise the question of scope and object on the amendment as offered by Senator Metcalf.

"Speaking to it, Mr. President, this is not something which is new to the legislature. It is a matter which has been thoroughly debated in the past four years and which many of us have some strong convictions about. Essentially today we are talking about an appropriation measure and as I read Senator Metcalf's provision, what he in effect is doing here today is changing the substantive law in relation to the school formula to the extent that the formula would have no full force and effect as it now presently is written. And while I understand that the question is close, it would appear to me that if Senator Metcalf is sincere in his objectives about limiting the right of school districts to permit bussing, that the proper place for this to be is either in a separate bill which could be debated before the legislature with the attention of the legislature only directed toward whether or not we want to stop school districts from having the right to bus and that the place for this is not in the appropriation measure."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "In ruling on the point of order, the President believes that the amendment is in order, does not enlarge the scope and object of the bill."

On motion of Senator Whetzel, the following amendment to the amendment by Senator Metcalf was adopted:

Amend the Metcalf amendment to page 4, section 2, line 20 as follows: On line 9 of the amendment after "is" and before "required" insert "clearly".

Senator Bottiger moved adoption of the following amendment to the amendment by Senator Metcalf:

On line 11 of the Metcalf amendment to page 4, section 2, line 20, strike "sex."

The motion by Senator Bottiger failed and the amendment to the amendment by Senator Metcalf was not adopted.

Senator Metcalf moved adoption of the following amendment to the amendment by Senator Metcalf:

Amend the Metcalf amendment to page 4, section 2, line 20, as follows: On line 10, strike "his".

Debate ensued.

The motion by Senator Metcalf failed and the amendment to the amendment by Senator Metcalf was not adopted.

On motion of Senator Guess, the following amendment to the amendment by Senator Metcalf was adopted:

Amend the Metcalf amendment to page 4, section 2, line 20 as follows: On line 10 of the amendment after "his" insert "or her".

The motion by Senator Metcalf carried and the amendment, as amended, was adopted.

On motion of Senator Odegaard, the following amendment was adopted:

On page 3, section 2, line 18, after "9-12" and before "for" insert "or".

Senator Atwood moved adoption of the following amendment:

On page 9, section 2, line 9, strike "\$8,800,000" and insert "\$4,400,000".

Debate ensued.

The motion by Senator Atwood failed and the amendment was not adopted.

Senator Greive demanded a division.

#### POINT OF ORDER

Senator Mardesich: "The gavel fell. The President announced."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is well taken."

On motion of Senator Atwood, the following amendment was adopted:

On page 9, section 2, line 9, after "1974-75" insert the following: "PROVIDED FURTHER, That any portion of this \$8,800,000 appropriation not distributed to the local school districts for the purposes set forth in this provision shall be placed in the General Apportionment formula for distribution through the per pupil guarantee".

Senator Clarke moved adoption of the following amendment:

On page 12, section 13, line 18, after "given," and before "to" strike "where necessary," and insert "when required by state or federal law,".

#### POINT OF ORDER

Senator Canfield: "I raise the question of scope and object of this amendment, of section 13."

Senator Woodall: "Is the objection being raised to an amendment or to part of the bill itself?"

President Pro Tempore Henry: "He is evidently raising the question of scope and object on the amendment, Senator."

Senator Canfield: "Of section 13, not the amendment but section 13. The whole section 13."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Ruling on your point of order, Senator, I have already ruled on that point once. Section 13 is, in my opinion at least, within the scope and object of the bill."

The motion by Senator Clarke failed and the amendment was not adopted on a rising vote.

Senator Durkan moved adoption of the following amendment by Senators Durkan and Atwood:

On page 13, line 4, after "immediately" strike the period and insert "PROVIDED, That provisions of this appropriations pact shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington."

The motion by Senator Durkan carried and the amendment by Senators Durkan and Atwood was adopted.

Senate Bill No. 2803 was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass as amended.

President Cherberg in the Chair.

On motion of Senator Durkan, the report of the committee was adopted.

On motion of Senator Donohue, the rules were suspended, Engrossed Senate Bill No. 2803 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Durkan yield to a question, please? I noticed that the Superintendent of Public Instruction's office budget assumes about three and six-tenths million of federal aid. And it is my understanding that if Richard Nixon has his way there is only going to be about a million and a half in his budget. Now in the light of this, it means that the Superintendent's budget is going to have to be cut about two and one-tenth million. What will be the effect of those cuts?"

Senator Durkan: "It is the intention of the legislature that under this budget the Superintendent of Public Instruction is going to have to reduce his staff probably as much as twenty percent or as much as fifty man years per year. But this is not to say that there is not sufficient moneys in this budget for him to perform all the functions and managements that are necessary or required by law. There are positions down there which we think the Superintendent can and will, under this budget, reduce. It is our intent that with this money the Superintendent will have enough leeway in the management programs that those he has to rip will not be in the areas where the law requires the management of the Superintendent of Public Instruction. At the same time it is like every other budget that is going to be coming through here—with the lack of federal funds—we are going to have to require the reduction in man years in all departments."

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Durkan yield to a question? Senator Durkan, recognizing the fact of this one mill going into the formula and recognizing the fact that with that taking place, a district like Seattle will supposedly lose x number of dollars under that plan. I made a vote in committee yesterday that I did not quite understand. I am not an expert in this area and I am still somewhat confused about the over-all impact as it would relate to Seattle. Is it your understanding that those districts such as Seattle that have the problems, in considering this special levy relief in the over-all package before we leave this session we will try and have equity in those districts and the impact will not be as great as it would look on such districts?"

Senator Durkan: "Senator, the problem of Seattle is unique in the sense that its assessed valuation continues to rise and its student population continues to decrease. But in direct response, yes, I am committed to a direct special levy relief bill in this session of the legislature. I am committed to the extent that where the Senate has in the past showed responsibility in willing to bite the bullet, so to speak, and have today shown the same responsibility and we have still ahead of us some very tough decisions to make in higher education and in the area of state government. When these are over, the Senate is going to then consider in priority special levies, salaries, pensions and fringe benefits. And at that



time I agree and say that there has to be equity and I intend to do the best I can and see that there is."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2803, and the bill passed the Senate by the following vote: Yeas, 38; nays, 10; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody-38.

Voting nay: Senators Atwood, Connor, Fleming, Greive, Lewis (Harry), Murray, Peterson (Ted), Rasmussen, Wanamaker, Whetzel-10.

Excused: Senator Dore-1.

ENGROSSED SENATE BILL NO. 2803, having received the 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 Senator Lewis (Harry), Senator Matson was excused.

SECOND READING

ENGROSSED HOUSE BILL NO. 117, by Representatives Bauer and Hoggins (by Joint Committee on Education request):

Implementing law relating to school holidays and programs suitable thereto.

The bill was read the second time by sections.

Senator Fleming moved adoption of the following amendment:

On page 1, section 1, line 12, following the semicolon, insert "*the third Monday in January, being the anniversary of the birthday of Dr. Martin Luther King, Jr.*;"

POINT OF ORDER

Senator Lewis (Harry): "Mr. President, I raise the question of scope and object on the amendment by Senator Fleming, regrestfully, that this is a code reviser's bill and I believe his amendment clearly under the rules of the Senate which we have been operating is beyond the scope and object of the legislation."

Debate ensued.

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order as presented by Senator Lewis finds that House Bill No. 117 is purely a code reviser's type bill which only deletes from the existing laws incorrect and obsolete language. In fact House Bill No. 117 contains no substantive law whatsoever. It neither adds to, subtracts from nor changes school holidays. The amendment proposed by Senator Fleming, however, does establish a school holiday in honor of the late Martin Luther King, Jr., and therefore the President believes the amendment increases the scope and object of the bill. The President would like to point out that in 1969 when the bill which became Section 59, Chapter 283 of the 1969 first extraordinary session and was codified as RCW 28A.02.061 was before the Senate, that this identical amendment was proposed. At that time the President advised the sponsor of the amendment that the amendment was within the scope and object of that bill because the purpose of that bill was to establish and change the laws pertaining to school holidays. However, as indicated above, House Bill No. 117 does not affect the laws pertaining to

school holidays and merely deletes from the code obsolete and unnecessary language. Therefore, the point as presented by Senator Lewis is well taken.”

The motion by Senator Fleming failed and the amendment was ruled out of order.

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 117 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 117, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Dore, Matson—2.

ENGROSSED 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.

#### PERSONAL PRIVILEGE

Senator Fleming: “Mr. President, I would just like to congratulate the President on being so well prepared and rendering a decision so quickly on such a measure.”

#### SECOND READING

SENATE BILL NO. 2346, by Senators Durkan, Atwood, Donohue and Murray (by Executive request):

Limiting property tax levies.

#### MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2346 was referred to the Committee on Ways and Means.

At 1:23 p.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, February 26, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTIETH DAY

## NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 26, 1973.

The Senate was called to order at 12:00 noon by President Pro Tempore Henry. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Scott and Whetzel. On motion of Senator Bailey, Senator Durkan was excused. On motion of Senator Matson, Senators Scott and Whetzel were excused.

The Color Guard, consisting of Pages Chris Simpson and Janet Munson, presented the Colors. Reverend George M. Mitchell, pastor of the First Christian Church of Olympia, offered the following prayer:

“WE THANK YOU, OUR FATHER IN HEAVEN, FOR THIS SACRED MOMENT WHEN WE MAY UNITE OUR HEARTS IN PRAYER TO YOU, AND WHEN WE MAY FORGET ALL ELSE EXCEPT FOR OUR NEED OF YOUR GUIDANCE AND HELP DAY BY DAY. AND AS WE DO SO, WE FIND THAT AS WE REACH UP TO YOU, YOU ARE REACHING DOWN TO US. THEREFORE, WE UNITE OUR PRAYERS FOR YOUR CONTINUING PRESENCE CLOSE TO US, AND FOR YOUR GUIDANCE UPON THIS ASSEMBLY AND UPON EACH SENATOR. WHEN WE ARE TEMPTED TO LOSE FAITH IN THE FUTURE, IN OTHERS, IN YOU AND IN OURSELVES, HELP US TO REGAIN THAT FAITH AND TRUST BY PLACING OURSELVES IN YOUR HANDS AND BY RESTING OUR CONFIDENCE IN YOU. MAY WE BE RENEWED THEREBY FOR THE TASKS CONFRONTING US THIS DAY. WE MAKE OUR PRAYERS IN THE NAME OF YOUR SON, JESUS CHRIST. AMEN.”

## MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## WELCOME EXTENDED

The members and employees of the Senate extended a warm welcome to Senator Dore upon his return to the Senate after a serious illness.

## REPORTS OF STANDING COMMITTEES

February 23, 1973.

ENGROSSED HOUSE BILL NO. 34, authorizing precinct committeemen to register voters (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 128, raising filing fees for registration of land titles (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 163, authorizing a review of initiative measures prior to the filing thereof (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 183, authorizing school districts to pay travel expenses of certain prospective employees (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 212, authorizing the Eastern Washington Historical Society to collect art and dispose of unneeded materials (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 233, correcting inconsistent, deleting obsolete, provisions of higher education code (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 235, providing educational benefits to children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 257, allowing cities to join in county park and recreation service areas (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Murray, Sellar, Whetzel.  
Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 263, setting the period within which claimants may file suit against a county (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Atwood, Bottiger, Clarke, Twigg, Woodall.  
Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 268, excluding certain casual meetings and collective bargaining, grievance, or mediation proceedings from the public open meetings act (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.  
Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 281, authorizing school district boards to have hearing officers (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 293, making the assessor's records open to public inspection (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 302, providing new penalties for possession of marihuana by person serving a sentence in a penal institution (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 304, changing law respecting school district's contribution for insurance and protection of board members, employees, etc. (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 367, changing law relating to warrants of public school teachers (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 420, making certain administrative changes in unemployment compensation (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 436, providing for conformity of state unemployment compensation with federal law (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 476, defining certificated employee for the purposes of Title 28A RCW (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 585, authorizing the appointment of up to seven park commissioners in second, third, and fourth class cities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 645, giving state board for community college education jurisdiction over programs of students enrolled in more than one community college (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf.

Passed to Committee on Rules for second reading.

February 22, 1973.

HOUSE BILL NO. 663, requiring additional qualifications of water well construction licenses (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Murray, Stortini, Whetzel.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 665, providing for the licensing of podiatrists (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE BILL NO. 694, making mandatory certain polling hours at both elections and primaries (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 23, 1973.

ENGROSSED HOUSE BILL NO. 753, permitting public assistance grants to certain high school students (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE JOINT MEMORIAL NO. 1, providing that the 9th Infantry Division be designated "The Northwest's Own" (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENTS

February 23, 1973.

DR. WERNER QUAST, to the position of member of the Public Disclosure Commission, appointed by the Governor on December 14, 1972 for the term ending December 31, 1975 (reported by the Committee on Constitution and Elections):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules.

February 23, 1973.

KENNETH KENNEDY, to the position of member of the Public Disclosure Commission, appointed by the Governor on December 14, 1972 for the term ending December 31, 1976 (reported by the Committee on Constitution and Elections):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules.

February 23, 1973.

MRS. JEAN DAVIS, to the position of member of the Public Disclosure Commission, appointed by the Governor on December 14, 1972 for the term ending December 31, 1974 (reported by the Committee on Constitution and Elections):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules.

February 23, 1973.

FRED HALEY, to the position of member of the Public Disclosure Commission, appointed by the Governor on December 14, 1972 for the term ending December 31, 1973 (reported by the Committee on Constitution and Elections):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.  
Passed to Committee on Rules.

February 26, 1973.

MRS. JEAN BAKKE, to the position of member of the State Board for Community College Education, appointed by the Governor on April 7, 1972 for the term ending April 3, 1976, succeeding herself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.  
Passed to Committee on Rules.

February 26, 1973.

MRS. TAD WADA, to the position of member of the Council on Higher Education, appointed by the Governor on May 9, 1972 for the term ending June 30, 1973, succeeding Leon Bridges (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.  
Passed to Committee on Rules.

February 26, 1973.

RICHARD ALBRECHT, to the position of member of the Council on Higher Education, appointed by the Governor on September 8, 1970 for the term ending June 30, 1975, succeeding Mineo Katagiri (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.  
Passed to Committee on Rules.

#### MESSAGES FROM THE GOVERNOR

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 23, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2089: Providing for a state-wide forms management program.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 23, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2079: Implementing duties of state printing and duplicating committee.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.



## MESSAGES FROM THE HOUSE

February 23, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 360, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

February 23, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2100,

ENGROSSED SENATE BILL NO. 2240,

SUBSTITUTE SENATE BILL NO. 2362,

SENATE BILL NO. 2592,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2784, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2805, by Senators Sandison and Atwood:

An Act relating to the institutions of higher education; providing for the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for said institutions of higher education; providing for the financing thereof by the issuance of bonds; and declaring an emergency.

Referred to Committee on Higher Education.

SENATE BILL NO. 2806, by Senator Woody:

An Act relating to the appropriation of funds for the operation and maintenance of the Washington wing civil air patrol; creating a new chapter in Title 14 RCW; creating new sections; declaring an emergency; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2807, by Senators Whetzel, Mardesich, Atwood, Francis, Jones, Scott, Grant and Gardner (by Executive request):

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.08.060, chapter 15, Laws of 1961 and RCW 82.08.060; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 24, Laws of 1972 ex. sess. and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100; amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; amending section 4, chapter 175, Laws of 1971 ex. sess. as amended by section 2, chapter 135, Laws of 1972 ex. sess. and RCW 82.38.030; amending section 29, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.280; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 2, chapter 24, Laws of 1972 ex. sess. and RCW 46.68.100; amending section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030; amending section 4, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.050; amending section 5, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.060; and adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation and Utilities.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2807.

SENATE BILL NO. 2808, by Senators Grant, Twigg and Henry:

An Act relating to revenue and taxation; amending section 6, chapter 24, Laws of 1961 ex. sess. as amended by section 40, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.340.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2809, by Senators Gardner and Lewis (Harry):

An Act relating to revenue and taxation; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290; amending section 82.04.450, chapter 15, Laws of 1961 and RCW 82.04.450; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2810, by Senators Lewis (Harry) and Gardner:

An Act relating to revenue and taxation; and amending section 82.32.060, chapter 15, Laws of 1961 as last amended by section 17, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.060.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2811, by Senators Donohue, Durkan and Matson:

An Act relating to reforestation taxation.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2812, by Senators Durkan, Matson and Donohue:

An Act relating to revenue and taxation of timber and forest lands.

Referred to Committee on Ways and Means.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2100,

SENATE BILL NO. 2240,

SUBSTITUTE SENATE BILL NO. 2362,

SENATE BILL NO. 2592,

SUBSTITUTE SENATE BILL NO. 2784.

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 48 was ordered to hold its place on the second reading calendar for Tuesday, February 27, 1973.

#### SECOND READING

HOUSE BILL NO. 47, by Representatives Eikenberry and Knowles:

Extending age limit for filial support payments.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 47 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 47, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senator Fleming—1.

Excused: Senators Durkan, Scott, Whetzel—3.

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. 75, by Representatives Conner, Adams, Ceccarelli and Nelson:

Making it a crime to place harmful objects and substances in food.

The bill was read the second time by sections.

Senator Matson moved adoption of the following amendment:

On page 1, line 17, after "dollars" and before the period insert "*PROVIDED, HOWEVER, That this act shall not apply to the employer or employers of a person who violates the provisions contained herein without such employer's knowledge*".

#### POINT OF INQUIRY

Senator Francis: "Mr. President, would Senator Woodall yield to a question? Senator Woodall, for the record, are you saying that this amendment would relieve an employer of civil liability who would now under our present law have civil liability for the acts of his agents or employees?"

Senator Woodall: "No, but we are simply trying to safeguard that we are not extending him into new areas of liability."

Senator Francis: "Thank you very much. I wanted to get that on the record."

The motion by Senator Matson carried and the amendment was adopted.

On motion of Senator Francis, the rules were suspended, House Bill No. 75, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Van Hollebeke: "Will Senator Francis yield to a question please? Senator Francis, could you give me a little bit of background. What would the present law provide in this case? Are we stiffening the penalty?"

Senator Francis: "Senator, we are stiffening the penalty but we are doing more than that. We are providing for crimes as listed in the bill; this particular section of the law before only involved poisons, did not involve other harmful substances such as needles, razor blades, wire, and so forth. You would have had to go to a more general law such as the law of assault to get at the problem."

Senator Van Hollebeke: "And what is the penalty under this?"

Senator Francis: "It makes a specific crime and provides specific penalties."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 75, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Excused: Senators Durkan, Scott, Whetzel—3.

HOUSE BILL NO. 75, 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

At 12:30 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

### SECOND READING

HOUSE BILL NO. 580, by Representatives Goltz, Julin, Gaspard, Eikenberry, Sommers and Hayner:

Increasing the jurisdictional limit for small claims court.

The bill was read the second time by sections.

Senator Bottiger moved adoption of the following amendment:

Following section 1 insert the following:

**NEW SECTION.** Sec. 2. DEPARTMENT AUTHORIZED—JURISDICTIONAL AMOUNT. In every justice court of this state there shall be created and organized by the court a department to be known as the “Residential Landlord-Tenant Department of the Justice Court”. If the justice court is operating under the provisions of chapters 3.30 through 3.74 RCW, the residential landlord-tenant department of that court shall have original jurisdiction within the justice court in cases arising out of residential tenancies or under chapter . . . ., (Senate Bill No. 2226), Laws of 1973 as enacted or subsequently amended, except for cases initially filed in the small claims department, for any legal or equitable remedies or for the recovery of damages where the amount claimed does not exceed one thousand dollars. If the justice court is not operating under the provisions of chapters 3.30 through 3.74 RCW, the residential landlord-tenant department of that court shall have original jurisdiction, in cases arising out of residential tenancies or under Chapter . . . . (Senate Bill No. 2226), Laws of 1973, as enacted or subsequently amended, except for cases initially filed in the small claims department, for any legal or equitable remedies or for the recovery of damages only where the amount claimed does not exceed one thousand dollars.

**NEW SECTION.** Sec. 3. Whenever an action is commenced within the residential landlord-tenant department of the justice court the defendant in such proceeding may in accordance with court rules transfer the action to any other department of the justice court except for the small claims department.

**NEW SECTION.** Sec. 4. ACTION, HOW COMMENCED. Actions in such residential landlord-tenant departments shall be deemed commenced by the plaintiff appearing before the justice of the peace and subscribing to and verifying a claim as hereinafter provided.

**NEW SECTION.** Sec. 5. SETTING CASE FOR HEARING—FEES. Upon filing said claim such justice of the peace shall appoint a time for the hearing of said matter and shall cause to be issued a notice of the claim, as hereinafter provided which shall be served upon the defendant.

(1) Said justice of the peace shall collect in advance upon each claim the sum of six dollars and fifty cents (\$6.50), and this shall be the only fee for such justice of the peace to be charged or taxed against the plaintiff in such action during the pendency or disposition of said claim except for costs of inspection of premises pursuant to section 10 of this 1973 amendatory act: PROVIDED, That when any such residential landlord-tenant department shall be created and organized in any justice court as herein provided, in which the justice is not paid a salary, he may be paid as compensation for conducting such department from the county treasury of his county such monthly salary as the county court and commissioners of said county shall deem just and proper.

**NEW SECTION.** Sec. 6. SERVICE OF NOTICE OF CLAIM—FEE. Said notice of claim can be served either as provided for the service of summons or complaint and notice in civil actions or by registered or certified mail provided a return receipt with the signature of the party being served is filed with the court, but no other paper is to be served with the notice. The officer serving such notice shall be entitled to receive from the plaintiff, besides mileage, one dollar for such service; which sum, together with the filing fee and inspection costs named in section 4 shall be added to any judgment given for plaintiff.

**NEW SECTION.** Sec. 7. REQUISITES OF CLAIM. The claim hereinbefore referred to shall contain the name of the plaintiff and the name of the defendant, followed by a statement, in brief and concise form, of the nature and amount of said claim and the time of the accruing of such claim; and shall also state the purpose of serving the notice of claim on such defendant.

**NEW SECTION.** Sec. 8. REQUISITES OF NOTICE. Said notice of claim shall be directed to the defendant, naming him, and shall contain a statement in brief and concise form notifying such defendant of the name, address, amount and nature of the alleged claim of plaintiff, and directing and requiring defendant to appear personally in court before the justice of the peace of said justice's court at a time certain, which shall not be less than five nor more than ten days from the date of service of such notice; said notice shall further provide that in case of failure to so appear, judgment will be given against defendant for the amount of such claim.

**NEW SECTION.** Sec. 9. VERIFICATION OF CLAIM. All claims must be verified by the real claimant, and no claim shall be filed or prosecuted in such department by the assignee of such claim.

**NEW SECTION.** Sec. 10. HEARING. No attorney at law nor any person other than the plaintiff and defendant, shall concern himself or in any manner interfere with the prosecution or defense of such litigation in said department without the consent of the justice of said justice's court; nor shall it be necessary to summon witnesses, but the plaintiff and defendant in any claim shall have the privilege of offering evidence in their behalf by witnesses appearing at such hearing, and the justice may informally consult witnesses or otherwise investigate the controversy between the parties, and give judgment or make such orders as may by him be deemed to be right, just and equitable for the disposition of the controversy.

**NEW SECTION.** Sec. 11. INSPECTIONS AUTHORIZED—FEES.

(1) Where there is a dispute as to the condition of the premises or the cause thereof, either party may request an inspection of the premises or other evidence and the court shall conduct such an inspection or appoint a master to so conduct.

(2) The requesting party must post the reasonable costs of the inspection, such costs not to exceed fifty dollars, and to be assessed against the nonprevailing party on the issue covered by the request for inspection.

**NEW SECTION.** Sec. 12. INFORMAL PLEADINGS. No formal pleading, other than the said claim and notice, shall be necessary to define the issue between the parties; and the hearing and disposition of all such actions shall be informal, with the sole object of dispensing speedy and quick justice between the litigants: PROVIDED, That no attachment, garnishment or execution shall issue from the residential landlord-tenant department on any claim except as hereinafter provided.

**NEW SECTION.** Sec. 13. PAYMENT OF JUDGMENT—PERFORMANCE OF ORDER. If the judgment or order be against the defendant, it shall be his duty to satisfy same forthwith upon such terms and conditions as the justice of such court shall prescribe.

**NEW SECTION.** Sec. 14. PROCEDURE ON NONPAYMENT OR NONPERFORMANCE. The judgment of said court shall be conclusive. If the defendant fails to perform the judgment according to the terms and conditions thereof within twenty days or such time as granted, the justice before whom such hearing was had, shall certify such judgment in substantially the following form:

Washington.

In the Justice's Court of.....County, before.....

.....Justice of the Peace for.....Precinct.

.....Plaintiff,

vs.

.....Defendant.

In the Residential Landlord-Tenant Department.

This is to certify that in a certain action before me, the undersigned had on this the.....day of.....19....., wherein.....was plaintiff and.....defendant, jurisdiction of said defendant having been had by personal service (or otherwise) as provided by law, I then and there entered a judgment (and/or order) against said defendant for (and/or to do the following).....

....., which judgment (or order) has not been performed.

Witness my hand this.....day of....., 19.....

Justice of the Peace sitting in the Residential Landlord-Tenant Department.

(1) The justice of the peace of said justice's court shall forthwith enter such judgment transcript on the judgment docket of such justice's court; and thereafter garnishment, execution and other process on execution provided by law may issue thereon, as obtains in other cases of judgment of justice's courts, and transcripts of such judgments may be filed and entered in judgment lien dockets in superior courts with like effect as in other cases.

NEW SECTION. Sec. 15. APPEALS. No appeal shall be permitted from a judgment or order of the residential landlord-tenant department of the justice court where the amount claimed was less than one hundred dollars nor shall any appeal be permitted by a party who requested the exercise of jurisdiction by the residential landlord-tenant court.

NEW SECTION. Sec. 16. There is added to chapter 187, Laws of 1919, and to chapter 3.04 RCW a new section to read as follows:

SEPARATE DOCKET FOR RESIDENTIAL LANDLORD-TENANT DEPARTMENT.

Each justice of the peace shall keep a separate docket for the residential landlord-tenant department of his court, in which he shall make a permanent record of all proceedings, orders and judgment had and made in such residential landlord-tenant department.

*NEW SECTION.* Sec. 17. There is added to chapter 12.40 RCW a new section to read as follows:

Whenever an action is commenced within the small claims department and could otherwise be brought before the residential landlord-tenant department, the defendant in such proceeding may in accordance with court rules transfer the action to the residential landlord-tenant department.

Sec. 18. Section 4, chapter 46, Laws of 1967 1st ex. sess. and RCW 4.14.010 are each amended to read as follows:

**REMOVAL OF CERTAIN ACTIONS FROM JUSTICE TO SUPERIOR COURT AUTHORIZED—GROUNDS. [JOINT CLAIMS OR ACTIONS.]** Whenever the removal of such action to superior court is required in order to acquire jurisdiction over a third party defendant, who is or may be liable to the defendant for all or part of the judgment and resides outside the county wherein the action was commenced, any civil action which could have been brought in superior court may, if commenced in justice court, be removed by the defendant or defendants to the superior court for the county where such action is pending if the court determines that there are reasonable grounds to believe that a third party may be liable to the plaintiff and issues an order so stating.

Whenever a separate or independent claim or cause of action which would be removable if sued upon alone is joined with one or more otherwise nonremovable claims or causes of action, the entire case may be removed and the superior court may determine all issues therein, or, in its discretion, may remand all matters not otherwise within its original jurisdiction.

*Any action commenced within the residential landlord-tenant department of the justice court may be removed upon request by a defendant to the superior court where such action is pending; the entire case may be removed and the superior court may determine all issues therein, or, in its discretion, may remand all matters not otherwise within its original jurisdiction.*

#### POINT OF ORDER

Senator Lewis (Harry): "Mr. President, I raise the point of scope and object on this amendment. What we have here is an entire new bill that has not been considered in the committee. Whether or not it has merit is not a question I can answer but it is my understanding it has been in committee throughout the session. It has not been considered and I just believe it clearly, we are looking at a bill that increases the amount in the small claims court and what we have here is a bill that deals with landlord-tenant, action in the landlord-tenant and requisites of claims and notice and so forth. It may be handled in the court but the point is that it is an entire piece of legislation being appended on House Bill 580 and I believe it increases substantially the scope and object."

Debate ensued.

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The President in ruling on the point of order, House Bill No. 580 increases the jurisdiction of small claim courts from two to three hundred dollars in one instance and to two hundred in other instance. The amendment proposed by Senator Bottiger is established as an intricate landlord-tenant lease arrangement which defines rights and responsibilities of the parties involved. The President rules the point of order by Senator Lewis is well taken."

The motion by Senator Bottiger failed and the amendment was ruled out of order.

On motion of Senator Atwood, the following amendment was adopted:

On page 1, add a new section following section 1 as follows:

*"NEW SECTION.* Sec. 2. Section 11, chapter 187, Laws of 1919 and RCW 12.40.110 are each amended to read as follows:

The judgment of said court shall be conclusive. If the defendant fails to pay the judgment according to the terms and conditions thereof *within twenty days*, the justice before whom such hearing was had [, may, on application of the plaintiff,] *shall* certify such judgment in substantially the following form:

Washington.

In the Justice's Court of.....County, before.....  
.....Justice of the Peace for.....Precinct.  
.....Plaintiff,

vs.

.....Defendant.

In the Small Claims Department.

This is to certify that in a certain action before me, the undersigned had on this the.....day of.....19....., wherein..... was plaintiff and.....defendant, jurisdiction of said defendant having been had by personal service (or otherwise) as provided by law, I then and there entered judgment against said defendant in the sum of.....Dollars; which judgment has not been paid.

Witness my hand this.....day of....., 19.....

.....  
Justice of the Peace sitting in the  
Small Claims Department.

The justice of the peace of said justice's court shall forthwith enter such judgment transcript on the judgment docket of such justice's court; and thereafter garnishment, execution and other process on execution provided by law may issue thereon, as obtains in other cases of judgments of justice's courts, and transcripts of such judgments may be filed and entered in judgment lien dockets in superior courts with like effect as in other cases."

On motion of Senator Atwood, the following amendment to the title was adopted:

On line 1 of the title, after "court;" strike "and" and on line 3 after "12.40.010" and before the period insert "; and amending section 11, chapter 187, Laws of 1919 and RCW 12.40.110".

On motion of Senator Francis, the rules were suspended, House Bill No. 580, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 580, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison,



Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Durkan, Whetzel—2.

HOUSE BILL NO. 580, 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.

HOUSE BILL NO. 224, by Representatives Hurley, Paris and Knowles (by Legislative Council request):

Making certain changes in the executive conflict of interest act.

The bill was read the second time by sections.

On motion of Senator Guess, the following amendment was adopted:

On page 2, section 2, line 5, after "of" strike "Thurston county" and insert "[Thurston county] *the county in which the violation was alleged to have occurred*".

Senator Fleming moved adoption of the following amendment:

On page 2, section 2, line 14, after "*penalty of*" strike "*either*" and after "*dollars*", beginning with "*or*" strike all the material down to but not including the semicolon on line 16.

Debate ensued.

The motion by Senator Fleming failed and the amendment was not adopted on a rising vote.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 224, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 224, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Durkan, Whetzel—2.

HOUSE BILL NO. 224, 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 Senator Washington, Engrossed House Bill No. 381 was ordered placed at the beginning of the second reading calendar for Tuesday, February 27, 1973.

HOUSE JOINT MEMORIAL NO. 5, by Representatives Johnson, McCormick, Hurley, Knowles, Kopet, Kuehnle, Luders, May and Pardini:

Requesting issuance of an Expo '74 commemorative postage stamp.

The memorial was read the second time in full.

On motion of Senator Guess, the rules were suspended, House Joint Memorial No. 5 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 5, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Durkan, Whetzel—2.

HOUSE JOINT MEMORIAL NO. 5, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 109, by Representatives Van Dyk, Berentson and Goltz:

Removing milk solids from the limitation placed upon advertising milk products by naming the breed of cow which produced it.

The bill was read the second time by sections.

On motion of Senator Jolly, the rules were suspended, House Bill No. 109 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 109, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senator Grant—1.

Excused: Senators Durkan, Whetzel—2.

HOUSE BILL NO. 109, having received the 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 WITHDRAWN

Having voted on the prevailing side and having given notice on Thursday, February 22, 1973, there being no objection, Senator Lewis (Harry) withdrew his motion for reconsideration on Engrossed House Bill No. 153.

## MOTIONS

On motion of Senator Rasmussen, the Committee on State Government was relieved of further consideration of Senate Bill No. 2570.

On motion of Senator Rasmussen, Senate Bill No. 2570 was referred to the Committee on Ways and Means.

At 2:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, February 27, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FIFTY-FIRST DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Tuesday, February 27, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present.

The Color Guard, consisting of Pages Kevin Van Hollebeke and Elizabeth Petrich, presented the Colors. The Very Reverend Cabell Tennis, Dean of St. Mark's Cathedral of Seattle and a guest of Senator Jonathan Whetzel, offered the following prayer:

“ETERNAL GOD, AT YOUR COMMAND ALL THINGS CAME TO BE, THE VAST EXPANSE OF INTERSTELLAR SPACE, GALAXIES, SUNS, THE PLANETS IN THEIR COURSES, AND THE FRAGILE EARTH, OUR ISLAND HOME. FROM THE PRIMAL ELEMENTS YOU BROUGHT FORTH THE RACE OF MAN AND BLESSED US WITH MEMORY, REASON AND SKILL. YOU MADE US THE RULERS OF CREATION AND ENTRUSTED US WITH ITS ORDER. TO THESE PERSONS YOU GIVE THE AUTHORITY OF LEGISLATIVE GOVERNMENT. DIRECT THEM IN THIS WORK. SAVE THEM FROM THEMSELVES AND KEEP THEM IN YOUR VISION OF A CREATED ORDER AND A HUMAN SOCIETY OF WHOLENESS, PEACE, AND JUSTICE. AMEN.”

**MOTION**

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

February 26, 1973.

HOUSE BILL NO. 60, authorizing disposal of surplus real property by irrigation districts (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

February 27, 1973.

SUBSTITUTE HOUSE BILL NO. 65, relating to exempting nonprofit, amateur boxing and wrestling matches from state control (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 71, changing powers and responsibilities of the director of motor vehicles (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 102, authorizing alternative procedures for payment of condemnation awards subject to benefits setoff (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Guess, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Talley, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 107, repealing the requirement that directors of television improvement districts be bonded (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 137, requiring and regulating the use of safety glass and similar materials (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Lewis (Bob), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 149, providing a voter's pamphlet to each person requesting an absentee ballot (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 165, repealing county treasurers' reports (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 185, establishing state highway route number 115 (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Bottiger, Guess, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Stender, Talley, Wanamaker.

Passed to Committee on Rules for second reading.

January 27, 1973.

HOUSE BILL NO. 198, extending the crediting of adoption fees to the adoption support account to the 1973-75 biennium and allowing the secretary of the department of social and health services to file his report in 1975 (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Murray, Twigg.

Passed to Committee on Rules for second reading.

February 26, 1973.

SUBSTITUTE HOUSE BILL NO. 208, authorizing new procedures for the management of county property (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray.

Passed to Committee on Rules for second reading.

January 26, 1973.

ENGROSSED HOUSE BILL NO. 262, creating a board of trustees for the state school for the blind (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Twigg, Woodall.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 280, changing the terms of certain advisory councils of the department of social and health services and eliminating certain committees (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Clarke, Connor, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 287, providing for payment of substitutes for certain certificated personnel (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 291, prohibiting private appraising by assistant and deputy assessors (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 304, changing law respecting school district's contribution for insurance and protection of board members, employees, etc. (reported by Committee on Rules) which recommends that House Bill No. 304 be referred to the Committee on Ways and Means.

Signed by: John A. Cherberg, Chairman; Senators Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Stender, Talley, Woodall.

There being no objection, House Bill No. 304 was referred to the Senate Committee on Ways and Means.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 332, exempting minors employed by a parent from extrahazardous employment classification (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

January 27, 1973.

ENGROSSED HOUSE BILL NO. 337, removing restrictions on convicted felons from obtaining certain employment (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 342, permitting cities, towns, and special taxing districts to purchase liability insurance for officers and employees (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

January 27, 1973.

HOUSE BILL NO. 346, implementing law of detention of juveniles (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Herr, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 359, authorizing community education pilot programs and appropriating funds therefor (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Peterson (Ted).

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 364, providing for conditional licensing of department of social and health services employees who are Canadian doctors (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 396, providing for additional counting boards on election (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stender, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 402, relating to the counting of absentee ballots (reported by Committee on Constitution and Elections):

Recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 404, implementing laws against discrimination (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 26, 1973.

ENGROSSED HOUSE BILL NO. 455, authorizing revenue bonds for sewer services in irrigation districts (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Guess, Jolly, Lewis (Bob), Matson, Rasmussen, Sellar, Stender, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 601, revising voter registration procedures (reported by Committee on Constitution and Elections):

Recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

Passed to Committee on Rules for second reading.

February 23, 1973.

HOUSE JOINT MEMORIAL NO. 9, requesting Congress to help Dr. Pat Smith continue her program in Vietnam (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Francis, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE JOINT RESOLUTION NO. 10, ratifying federal equal rights amendment (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE HOUSE

February 26, 1973.

Mr. President: The House has passed SENATE BILL NO. 2125, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2125.

## MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.  
President Pro Tempore Henry called the Senate to order at 11:10 a.m.

## SECOND READING

ENGROSSED HOUSE BILL NO. 381, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants.

## REPORT OF STANDING COMMITTEE

February 20, 1973.

ENGROSSED HOUSE BILL NO. 381, providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendment:

On page 6, section 11, line 19, strike subsection (6).

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini, Van Hollebeke, Whetzel.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

Senator Mardesich moved adoption of the following amendment:

On page 2, section 1 (5), line 4, after "industrial waste" and before the period insert the following: ", and which by its design requires the presence of an operator for its operation".

## MOTION

On motion of Senator Washington, House Bill No. 381, together with the pending amendment by Senator Mardesich, was ordered held for consideration following Engrossed House Bill No. 281.

## SECOND READING

ENGROSSED HOUSE BILL NO. 48, by Representatives Eikenberry and Knowles:

Providing for disclaimer of interest under will, trust or intestacy.

The bill was read the second time by sections.

Senator Whetzel moved adoption of the following amendment:

On page 2, section 2, line 7 of the engrossed bill, after "estate" and before the period insert ", and also a written instrument which exercises a power to invade the corpus or principal of an estate or trust when such exercise has the effect of terminating an interest which would otherwise be succeeded to by a beneficiary".

## POINT OF INQUIRY

Senator Dore: "Would Senator Whetzel yield to a question? As I understand it, presently, if a property for ten thousand dollars goes to a class C heir and they disclaim any interest in it, then it reverts to a B class heir, will it be taxed at the B rate or the C rate?"

Senator Whetzel: "If the class C beneficiaries disclaim, there still is a tax at the class C rate on the assumption that that interest vested at the moment of death. This bill says if you



disclaim, the disclaimer takes place instantaneously before the death so that that interest is never vested and you do not have to pay the higher tax rate."

Senator Dore: "You would pay the rate of the relationship. . . ."

Senator Whetzel: "Of the person who receives it. Generally it is a class A beneficiary."

Senator Dore: "Whether it is A, B or C?"

Senator Whetzel: "That is right. And my amendment does the same thing by accomplishing the invasion of the trust principal."

The motion by Senator Whetzel carried and the amendment was adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 2, section 4, line 24, after "within" insert "the later of six months from the effective date of this act or".

On motion of Senator Francis, the rules were suspended, Engrossed House Bill No. 48, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 48, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 48, 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.

ENGROSSED HOUSE BILL NO. 477, by Representatives Bauer, Brown, Eng, Amen, King and Maxie:

Providing for the approval, control, and regulation of associated student body activities and moneys.

The bill was read the second time by sections.

On motion of Senator Bottiger, the rules were suspended, Engrossed House Bill No. 477 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 477, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 477, having received the 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. 194, by Representatives Lysen, Knowles and Kopet:

Including air pollution control authority within the purpose of the interlocal cooperation act.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 194 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 194, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 194, having received the constitutional 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. 217, by Representatives Kopet, Thompson, Bagnariol and Chatalas (by Legislative Budget Committee request):

Providing procedures whereby the state treasurer can invest certain surplus funds in time deposit accounts.

The bill was read the second time by sections.

Senator Rasmussen moved adoption of the following amendment:

On page 1, section 3, line 19, after "Sec. 3." strike all material down to and including "less" on line 27 and insert the following:

"Funds held in public depositories not as demand deposits as provided in section 2 of this act, shall be available for a time certificate of deposit investment program in amounts not less than those provided for in the following formula: The state treasurer shall apportion to all participating depositories an amount equal to five percent of the three year average mean of general state revenues as certified in accordance with Article VIII, section 1(b) of the state Constitution, or seventy percent of the total surplus treasury investment availability, whichever is greater: PROVIDED, That if any treasurer determines that the application of this formula is not feasible, such treasurer may apply to the state depository commission for a waiver of such formula to the extent and for such period of time as shall be determined by the commission".

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Rasmussen yield? I think your amendment is defective. You are going to have to take off the language on page 2, lines 1 through 8. I have not had time to check that out and we have not had a chance to really analyze what this does. Do you have another amendment on the desk, Senator?"

Senator Rasmussen: "I do, to strike section 6 I believe."

Senator Atwood: "You are going to have to take out the remainder of section 3 on page 2 also."

#### MOTION

On motion of Senator Rasmussen, Engrossed House Bill No. 217, together with the pending amendment by Senator Rasmussen, was ordered held for further consideration following House Bill No. 373.

## SECOND READING

ENGROSSED HOUSE BILL NO. 489, by Representatives Perry, Charette, Thompson, Barden, Paris and Ceccarelli:

Allowing bargaining units of public employees to be union shops.

## REPORT OF STANDING COMMITTEE

February 21, 1973.

ENGROSSED HOUSE BILL NO. 489, allowing bargaining units of public employees to be union shops (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 18, before "lists" strike "elibility" and insert "eligibility".

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendment was adopted.

Senator Grant moved adoption of the following amendment:

On page 7, following section 2, insert three new sections to read as follows:

"Sec. 3. Section 11, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.110 are each amended to read as follows:

[A collective bargaining agreement may provide that] Upon the written authorization of any public employee within the bargaining unit *and after the certification or recognition of such bargaining representative*, the public employer shall deduct from the pay of such public employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and shall transmit the same to the treasurer of the exclusive bargaining representative.

"NEW SECTION. Sec. 4. There is added to chapter 41.56 RCW a new section to read as follows:

A collective bargaining agreement may:

(1) Contain union security provisions: PROVIDED, That nothing in this section shall authorize a closed shop provision: PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member. When there is a conflict between any collective bargaining agreement reached by a public employer and a bargaining representative on a union security provision and any charter, ordinance, rule, or regulation adopted by the public employer or its agents, including but not limited to, a civil service commission, the terms of the collective bargaining agreement shall prevail.

(2) Provide for binding arbitration of a labor dispute arising from the application or the interpretation of the matters contained in a collective bargaining agreement.

"NEW SECTION. Sec. 5. There is added to chapter 41.56 RCW a new section to read as follows:

In addition to any other method for selecting arbitrators, the parties may request the department of labor and industries to, and the department shall, appoint a qualified person who may be an employee of the department to act as an arbitrator to assist in the resolution of a labor dispute between such public employer and such bargaining representative arising from the application of the matters contained in a collective bargaining agreement. The arbitrator shall conduct such arbitration of such dispute in a manner as provided for in the collective bargaining agreement: PROVIDED, That the department shall not collect any fees or charges from such public employer or such bargaining representative for services performed by the department under the provisions of this chapter: PROVIDED FURTHER, That the provisions of chapter 49.08 RCW shall have no application to this chapter."

## POINT OF ORDER

Senator Lewis (Harry): "Mr. President, I raise the point of order that the amendment by Senator Grant enlarges the scope and object of the bill clearly. The bill relates basically to union security, whereas the amendment includes providing for binding arbitration which is clearly beyond the scope and the intent of the original legislation as it was presented. This amendment by Senator Grant is, I believe House Bill No. 179 which still resides in committee and it is clearly an attempt to scalp an additional bill which broadens the scope and the object of House Bill 489 substantially."

Senator Grant: "Mr. President, House Bill No. 489 is an act relating to public employment. It provides for procedures whereby state employees may select a union bargaining agent and set up a union security provision. The amendment I have proposed deals with the same general subject, that is certification and recognition of public employees bargaining units. It deals, in addition, with the union security question, local governmental employees, and finally, sets up an arbitrators' schedule, the method of selection of arbitrators within the Department of Labor and Industries. It is the same general subject and as Senator Lewis indicates, it is a bill that is in Rules. It is a measure that has been considered by the Public Employees' Collective Bargaining Committee and by the Legislative Council and it has received their favorable consideration. I think it is within the scope and object of this measure, at least it would be held so in the House."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Ruling upon the point of order as raised by Senator Lewis, the President finds that, as under House rules, the title is germane. Besides that, it deals with local employees where the bill patently deals with state employees and the employees of higher education and therefore the point is well taken. It does enlarge the scope and object of the bill."

The motion by Senator Grant failed and the amendment was ruled out of order.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 489, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 489, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 15.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Waigren, Wanamaker, Washington, Woody—34.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Guess, Jones, Lewis (Bob), Matson, Metcalf, Murray, Scott, Sellar, Twigg, Whetzel, Woodall—15.

ENGROSSED HOUSE BILL NO. 489, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2365, by Senators Durkan, Woodall, Ridder, Connor and Knoblauch (by Lieutenant Governor request):

Creating a state-wide Medic I program.

## MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2365 was substituted for Senate Bill No. 2365 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Donohue, the following amendment was adopted:

On page 6, section 10, line 18, after "costs" and before the period insert "or cause substantial reduction or loss of existing service".

On motion of Senator Day, the rules were suspended, Engrossed Substitute Senate Bill No. 2365 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2365, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Walgren—1.

Absent or not voting: Senators Fleming, Wanamaker—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, having received the 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. 373, by Representatives Bauer, Hoggins and Charette:

Reconciling certain double amendments and conflicting provisions in education code.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, House Bill No. 373 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 373, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

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.

## MOTION

On motion of Senator Rasmussen, Engrossed House Bill No. 217, together with the pending amendment by Senator Rasmussen, was ordered to hold its place on the second reading calendar for Wednesday, February 28, 1973.

## SECOND READING

HOUSE BILL NO. 212, by Representatives Pardini, Hurley, Kopet and May:

Authorizing the Eastern Washington Historical Society to collect art and dispose of unneeded materials.

The bill was read the second time by sections.

On motion of Senator Guess, the rules were suspended, House Bill No. 212 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 212, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 212, having received the constitutional 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. 34, by Representatives Parker, Fortson, Erickson and Sommers:

Authorizing precinct committeemen to register voters.

## REPORT OF STANDING COMMITTEE

February 23, 1973.

ENGROSSED HOUSE BILL NO. 34, authorizing precinct committeemen to register voters (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 20, after "voters" and before the period insert "*if the precinct committeemen so request: PROVIDED, That they meet the requirements as set forth by the rules and regulations of the secretary of state's office*".

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendment was adopted.

Senator Metcalf moved adoption of the following amendment:

On page 2, section 2, line 5, after "by" strike "giving or sending to the voter" and insert "sending to the voter, by first class non-forwardable mail."

## POINT OF INQUIRY

Senator Greive: "Senator, would you yield to a question please? Doesn't this in effect say that if there are a number of registered voters who no longer live in a precinct, but go back to their old precinct to vote, that would give somebody a handle to wholesale disqualify them?"

Senator Metcalf: "Now this is new registered voters. All they have to do is to live at the address for which they are presently registering. This does not solve the problem that you mentioned, which I think is a problem."

The motion by Senator Metcalf carried and the amendment was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 34, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 34, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 30; nays, 19.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—30.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Talley, Twigg, Wanamaker, Whetzel, Woodall—19.

ENGROSSED HOUSE BILL NO. 34, 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.

ENGROSSED HOUSE BILL NO. 729, by Representatives Luders, Swayze, Charette, Thompson, Martinis, Pardini, Kilbury and North (Lois):

Providing for measures to facilitate pollution control.

The bill was read the second time by sections.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 3, line 26 of the engrossed bill, after "county" and before ", port" insert ", municipal corporation".

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 729, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Mr. President, would Senator Washington yield to a question? Senator Washington, in the event of default on these bonds, revenue bonds, who picks up the property and who would you sell a pollution property to?"

Senator Washington: "If the holder, the owner, the private corporation fails to pay, a trustee would be appointed. They could be sold and of course those who have bought the revenue bonds would have to suffer any loss. It would be like any other purchase of revenue bonds. They would have to be sold on the credit of the corporation and undoubtedly only those corporations that would have an excellent credit rating would be able to secure the revenue bonds. No money would have to be paid by any of the municipal corporations involved."

Senator Rasmussen: "I am thinking of a project that presumably could be abandoned or go bankrupt."

Senator Washington: "If it went bankrupt, then the bond holder as in any other case, would go into default the bond holders would suffer a loss. However, no payments would have to be made by the municipal corporation; the taxpayer would have no liability whatsoever."

Senator Rasmussen: "They would still have to find some means of disposing of the bankrupt property."

Senator Washington: "This is true but you would have a trustee who would be appointed to make the sale as in any other situation where you had a default or a bankruptcy."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 729, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Rasmussen—1.

ENGROSSED HOUSE BILL NO. 729, 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.

HOUSE BILL NO. 89, by Representatives May, Zimmerman and Leckenby:

Requiring asbestos safety gear in certain industries.

The bill was read the second time by sections.

On motion of Senator Stender, the rules were suspended, House Bill No. 89 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 89, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Murray—1.

HOUSE BILL NO. 89, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 79, by Representatives Bagnariol, Chatalas and Pardini:

Implementing the law of savings and loan associations.

The bill was read the second time by sections.

On motion of Senator Walgren, the following amendment was adopted:

On page 5, section 7, line 23 of the engrossed bill, after "section" strike "5" and insert "6".

On motion of Senator Dore, the rules were suspended, Engrossed House Bill No. 79, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 79, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day,



Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 79, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 281, by Representatives Ellis, Kuehnle and Randall: Authorizing school district boards to have hearing officers.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

ENGROSSED HOUSE BILL NO. 281, authorizing school district boards to have hearing officers (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

Amend the House Amendment by the Committee on Education on page 2, section 1, line 10, being page 2, section 1, line 10 of the engrossed bill, after "*person*" and before "*not*" insert "*with demonstrated experience in the conduct of hearings*".

Amend the House amendment by Representative Bauer on page 4, section 2, line 19, being page 4, section 2, line 20 of the engrossed bill, after "*person*" and before "*not*" insert "*with demonstrated experience in the conduct of hearings*".

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendments were adopted simultaneously.

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Gardner, is there a hearing officers' association? How would it be determined if he was a qualified hearing officer? You would not go to the board of arbitration, would you?"

Senator Gardner: "No. Anyone who had had any experience in negotiations of any manner would qualify as a hearing officer in this instance."

Senator Rasmussen: "Any member of this Senate then who has held hearings would be qualified?"

Senator Gardner: "It could be determined that that was possible. Yes."

#### POINT OF INQUIRY

Senator Stender: "Will Senator Gardner further yield? I think Senator Rasmussen's question is a very valid question and to just simply state they must have experience might be bad. I am just wondering in furtherance of Senator Rasmussen's question who and how could that kind of a qualification be satisfied?"

Senator Gardner: "The bill as it was originally drafted just asked for a hearing officer and that hearing officer could be appointed by the school board. It therefore could be anyone who they felt was qualified to proceed with the hearing process. Now at the request of the WEA, they asked that the language of the amendment that would demonstrate his experience be added. They apparently felt that they would have some ability to go to the school boards involved and suggest as to whether or not a person had had the type of experience which they felt would be beneficial to the hearing process. It is still a relatively open ended matter but nevertheless it does in effect say that a person probably should have had some experience in the negotiation or process of some sort."

Senator Stender: "One further question then. We certainly have hearings in many areas of our community and society generally. Are we talking about a particular qualification in this area or some other area as well?"

Senator Gardner: "I basically answered the best I can. Both Senator Bottiger and Senator Murray may have further answers, Senator Stender."

Senator Murray: "The degree of experience I think we are looking for is someone experienced in the judicial or quasi-judicial areas, so that we would be talking about somebody with experience as a judge or a hearing officer for someplace where they have judicial or quasi-judicial procedures to follow."

Senator Stender: "Not just limited to the schoolhouse?"

Senator Murray: "Right. Not expertise in schools but in the hearing procedure."

Further debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? Senator Bottiger, if we adopt this amendment, would it make it possible for any one of these people to go into court and challenge the adequacy of the individual who had just been named by the board?"

Senator Bottiger: "I do not think so, Senator Woodall, any more than I guess you could appeal on an inadequate judge. It is a de facto recognition of the appointed officer. You would make the same arguments that his findings and conclusions are not supported by the evidence and he made a stupid mistake or recommendation."

Senator Woodall: "I mean challenging him in the first place. Could you then go in prior to the time he ever had a hearing and go into court and in effect stay him from doing anything until a judge had determined in advance that he did meet whatever this amendment says he must meet?"

Senator Bottiger: "He has color of title and he would be presumed to be qualified on his appointment. Now, obviously I think, yes, you might get it in on a show cause that the appointee was not 'experienced as a hearing officer' but I think it would be a rather short lived appeal type thing."

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bottiger moved that the Senate do now reconsider the vote by which the committee amendments to Engrossed House Bill No. 281 were adopted.

The motion carried.

The President declared the question before the Senate to be the adoption of the committee amendments to Engrossed House Bill No. 281.

Debate ensued.

#### POINT OF INQUIRY

Senator Bottiger: "I wonder if Senator Francis would yield to a question? Senator Francis, you are an attorney of some experience and you have been in practice for quite a while and I think you would probably be a good hearing officer but have you had any experience?"

Senator Francis: "Only as a judge pro tem and I suppose that would be the basis for an argument."

Senator Bottiger: "I think it would probably qualify you but I think a good hearing officer might well be an experienced attorney in the community who might not happen to have had any 'hearing officer experience.' Might be the best selection that could be made."

The committee amendments to Engrossed House Bill No. 281, on reconsideration, were not adopted.

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 281 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 281, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senators Francis, Ridder—2.

Absent or not voting: Senator Fleming—1.

ENGROSSED HOUSE BILL NO. 281, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 12:25 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

## MOTION

On motion of Senator Day, Engrossed House Bill No. 381, together with the pending amendment by Senator Mardesich, was ordered placed on today's second reading calendar following Second Substitute House Bill No. 176.

## SECOND READING

ENGROSSED HOUSE BILL NO. 284, by Representatives Hoggins, Charnley and Moon (by Legislative Council request):

Providing for the preservation and recording of surveys.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, House Bill No. 284 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 284, and the bill passed the Senate by the following vote: Yeas, 35; absent or not voting, 14.

Voting yea: Senators Bottiger, Canfield, Clarke, Connor, Day, Dore, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woody—35.

Absent or not voting: Senators Atwood, Bailey, Donohue, Durkan, Fleming, Francis, Greive, Keefe, Lewis (Harry), Mardesich, Newschwander, Ridder, Walgren, Woodall—14.

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.

SENATE BILL NO. 2007, by Senators Rasmussen and Newschwander:

Exempting real property used for exhibiting art, scientific, or historical collections from property taxation.

#### REPORT OF STANDING COMMITTEE

February 21, 1973.

SENATE BILL NO. 2007, exempting real property used for exhibiting art, scientific, or historical collections from property tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10, after "*property*" and before "*such*" strike "*of*" and insert "*owned by*".

On page 1, section 1, line 10, after "*associations*" and before "*used*" insert "*and*".

On page 1, section 1, line 11, after "*collections*" and before the semicolon insert "*: PROVIDED, That to qualify for this exemption an organization must be organized and operated exclusively for artistic, scientific, historical, literary or educational purposes and receive a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its purpose or function) from the United States or any state or any political subdivision thereof or from direct or indirect contributions from the general public*".

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 2007 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTIONS

On motion of Senator Stortini, Senator Ridder was excused.

On motion of Senator Scott, Senator Lewis (Bob) was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2007, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Francis, Walgren—2.

Excused: Senators Lewis (Bob), Ridder—2.

ENGROSSED SENATE BILL NO. 2007, having received the constitutional 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. 381, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants.

The Senate resumed consideration of Engrossed House Bill No. 381 and the following amendment which had been moved for adoption by Senator Mardesich during the morning session:

On page 2, section 1 (5), line 4, after "industrial waste" and before the period insert the following: ", and which by its design requires the presence of an operator for its operation".

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Donohue, the following amendment was adopted:

On page 7, section 17, line 33, strike the period and insert ": PROVIDED, That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purposes of this 1973 act."

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 381, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 381, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Metcalf, Sellar—2.

Excused: Senators Lewis (Bob), Ridder—2.

ENGROSSED HOUSE BILL NO. 381, 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.

HOUSE BILL NO. 397, by Representatives Lysen, Cunningham, and Barden (by Washington Public Deposit Protection Commission request):

Making certain changes in the laws relating to public depositaries.

The bill was read the second time by sections.

On motion of Senator Walgren, the following amendments were adopted:

On page 3, line 17, following section 3 insert a new section to read as follows:

"Sec. 4. Section 35A.40.030, chapter 119, Laws of 1967 1st ex. sess. and RCW 35A.40.030 are each amended to read as follows:

The legislative body of a code city, at the end of each fiscal year, or at such other times as the legislative body may direct, shall designate one or more banks in the county wherein the code city is located as depositary or depositaries of the moneys required to be kept by the code city treasurer or other officer performing the duties commonly performed by the treasurer of a code city: PROVIDED, That where any bank has been designated as a depositary hereunder such designation shall continue in force until revoked by a majority vote of the legislative body of such code city. The provisions [of general law] relating to [such] depositaries [as] contained in [RCW 35.38.020] *chapter 39.58 RCW, as now or hereafter amended*, are hereby recognized as applicable to code cities and to the depositaries designated by them."

Re-number the remaining sections consecutively.

On page 10, line 10 after section 12, insert a new section to read as follows:

"Sec. 13. Section 1, chapter 213, Laws of 1967 and RCW 41.48.060 are each amended to read as follows:

(1) There is hereby established a special fund in the state treasury to be known as the OASI contribution fund. All interest earnings presently in [this fund shall be transferred by the state treasurer to the state's general fund] and all interest earnings accruing to this fund in accordance with RCW [43.85.060] *39.58.120* shall be deposited in the state's general fund. Such fund shall consist of and there shall be deposited in such fund: (a) All

contributions and penalties collected under RCW 41.48.040 and 41.48.050; (b) all moneys appropriated thereto under this chapter; (c) any property or securities belonging to the fund; and (d) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other source. All moneys in the fund shall be mingled and undivided. Subject to the provisions of this chapter, the governor is vested with full power, authority and jurisdiction over the fund, including all moneys and property or securities belonging thereto, and may perform any and all acts whether or not specifically designated, which are necessary to the administration thereof and are consistent with the provisions of this chapter.

(2) The OASI contribution fund shall be established and held separate and apart from any other funds of the state and shall be used and administered exclusively for the purpose of this chapter. Withdrawals from such fund shall be made for, and solely for (a) payment of amounts required to be paid to the secretary of the treasury pursuant to an agreement entered into under RCW 41.48.030; (b) payment of refunds provided for in RCW 41.48.040(3); and (c) refunds of overpayments, not otherwise adjustable, made by a political subdivision or instrumentality.

(3) From the OASI contribution fund the custodian of the fund shall pay to the secretary of the treasury such amounts and at such time or times as may be directed by the governor in accordance with any agreement entered into under RCW 41.48.030 and the social security act.

(4) The treasurer of the state shall be ex officio treasurer and custodian of the OASI contribution fund and shall administer such fund in accordance with the provisions of this chapter and the directions of the governor and shall pay all warrants drawn upon it in accordance with the provisions of this section and with the regulations as the governor may prescribe pursuant thereto."

Renumber the remaining sections.

On motion of Senator Walgren, the following amendments to the title were adopted: On line 8 of the title after "35.38.040;" and before "amending" insert "amending section 35A.40.030, chapter 119, Laws of 1967 1st ex. sess. and RCW 35A.40.030;".

On line 21 of the title after "39.58.070;" and before "amending" insert: "amending section 1, chapter 213, Laws of 1967 and RCW 41.48.060;".

On motion of Senator Walgren, the rules were suspended, House Bill No. 397, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 397, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Lewis (Bob), Ridder—2.

HOUSE BILL NO. 397, 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 Senator Mardesich, Second Substitute House Bill No. 176 will be considered by the Senate following House Bill No. 263.

## SECOND READING

ENGROSSED HOUSE BILL NO. 163, by Representatives Haussler, Curtis, Charette and Schumaker:

Authorizing a review of initiative measures prior to the filing thereof.

## REPORT OF STANDING COMMITTEE

February 23, 1973.

HOUSE BILL NO. 163, authorizing a review of initiative measures prior to the filing thereof (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 21, line 12, after "secretary" and before "refuse" strike "may" and insert "of state shall".

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini.

The bill was read the second time by sections.

Senator Grant moved adoption of the committee amendment.

## POINT OF INQUIRY

Senator Whetzel: "I ask Senator Grant if this changing of the language from may to shall would not create some constitutional complications and be an unconstitutional impediment to the right of people to file an initiative? Have you checked this out with the constitutional language on initiatives? Are we changing the procedure set forth in the Constitution?"

Senator Grant: "I do not think so, Senator Whetzel. The body of the bill does not require that the measure be given to the code reviser. But if it is given to the code reviser for his advice, then before the Secretary of State assigns it a serial number it would have to have this certificate of review. I do not think you have a constitutional problem involved here."

The motion by Senator Grant carried and the committee amendment was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 163, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 163, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-46.

Absent or not voting: Senator Peterson (Lowell)-1.

Excused: Senators Lewis (Bob), Ridder-2.

ENGROSSED HOUSE BILL NO. 163, 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.

HOUSE BILL NO. 263, by Representatives Julin, Charette, Haussler, Polk, Hayner and Eikenberry:

Setting the period within which claimants may file suit against a county.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, House Bill No. 263 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 263, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Peterson (Lowell)—1.

Excused: Senator Ridder—1.

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.

SECOND SUBSTITUTE HOUSE BILL NO. 176, by Committee on Labor (originally sponsored by Representatives King, Swayze, Savage, Bauer, Clemente, Knowles and Laughlin—by Public Employees' Collective Bargaining Committee request):

Implementing the laws relating to public employees.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 6, section 5, line 5, after "personnel of" insert "other" and after "and counties" strike the rest of the matter down to the period on line 6 and insert "within the state of Washington".

Debate ensued.

There being no objection, the amendment by Senator Mardesich was withdrawn.

On motion of Senator Mardesich, the following amendment was adopted:

On page 6, section 5, line 6, after "size" strike the matter down to the period on line 6 and insert "in the eleven western states".

On motion of Senator Grant, the rules were suspended, Second Substitute House Bill No. 176, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 176, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 15; absent or not voting, 2.

Voting yea: Senators Atwood, Bottiger, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woody—32.

Voting nay: Senators Bailey, Canfield, Donohue, Guess, Jolly, Jones, Lewis (Harry), Lewis (Bob), Metcalf, Murray, Sandison, Scott, Twigg, Washington, Woodall—15.

Absent or not voting: Senators Clarke, Peterson (Lowell)—2.

SECOND SUBSTITUTE HOUSE BILL NO. 176, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



MOTIONS

On motion of Senator Connor, the Senate Committee on Labor was relieved of further consideration of Senate Bill No. 2701.

On motion of Senator Connor, Senate Bill No. 2701 was referred to the Senate Committee on Ways and Means.

MOTION ON TIME LIMITATION

On motion of Senator Bailey, members of the Senate hereafter until four o'clock Thursday, March 1, 1973, will be restricted to three minutes on any one subject with no yields and that the rules be abided by until the deadline on Thursday afternoon.

MOTION

At 2:30 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, February 28, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTY-SECOND DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 28, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senator Guess. On motion of Senator Twigg, Senator Guess was excused.

The Color Guard, consisting of Pages Bill Bowman and Susan Benton, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD OUR FATHER, THOU HAST GIVEN US THE NIGHT FOR REST AND THE DAY FOR LABOR AND SERVICE. GRANT THAT THE REFRESHING SLEEP OF THE NIGHT NOW PAST MAY BE TURNED INTO DILIGENT AND NOBLE ACTION IN THE LIFE OF THE DAY NOW BEFORE US. HELP US TO USE THE DIFFICULTIES OF THE DAY AS MATERIAL FOR PERSEVERANCE. HELP US TO USE DISAPPOINTMENT AS MATERIAL FOR PATIENCE. HELP US TO USE MISUNDERSTANDING AS MATERIAL FOR RECONCILIATION, AND HELP US TO USE ACHIEVEMENT AND SUCCESS AS MATERIAL FOR GRATITUDE. THROUGH CHRIST OUR LORD. AMEN.

### MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

February 28, 1973.

SUBSTITUTE SENATE BILL NO. 2407, creating the Washington higher education assistance authority (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2407 be substituted therefor as recommended by the Committee on Higher Education and the substitute bill do pass.

Signed by: Senators Odegaard, Vice Chairman; Atwood, Flerning, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

February 28, 1973.

SENATE BILL NO. 2544, providing for registration of contractors by the department of labor and industries (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Gardner, Grant, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

February 27, 1973.

SENATE BILL NO. 2586, allowing policemen and firemen retired under previous retirement systems to elect to receive a pension equal to that available under LEFF (reported by Committee on Local Government):

MAJORITY recommendation: Do pass and that Senate Bill No. 2586 be referred to the Committee on Ways and Means.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Jolly, Lewis (Bob), Murray, Sellar, Walgren, Whetzel.

There being no objection, Senate Bill No. 2586 was referred to the Committee on Ways and Means.

February 27, 1973.

SENATE BILL NO. 2688, changing certain tax laws relating to commercial fishing vessels (reported by Committee on Natural Resources):

MAJORITY recommendation: That the bill be referred to Committee on Ways and Means.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Peterson (Ted), Sandison.

There being no objection, Senate Bill No. 2688 was referred to the Committee on Ways and Means.

February 27, 1973.

SENATE JOINT MEMORIAL NO. 118, memorializing Congress with respect to Seattle's public service hospital (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Keefe, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 14, providing for the practice of acupuncture under the supervision of a licensed physician (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Greive, Herr, Jones, Keefe, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 36, permitting disbursement of county funds under the control of the county auditor and treasurer (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 123, empowering mayor of first class city to appoint a designee to his seat on the police pension board (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Walgren, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 127, implementing law relating to distribution of taxes collected for taxing district purposes (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 130, allowing revision of county budgets upon receipt of unanticipated funds (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 150, raising mileage allowance for county officers (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 164, deleting county auditors' duty to compare tax records with county treasurer (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 28, 1973.

ENGROSSED HOUSE BILL NO. 171, enhancing the propagation of wildlife (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Fleming, Gardner, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Sandison.

Passed to Committee on Rules for second reading.

February 28, 1973.

ENGROSSED HOUSE BILL NO. 225, implementing laws of motor vehicle equipment (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Rasmussen, Sellar, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 277, providing a specific day for the legislative body of code cities to meet for the purpose of fixing the budget (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 286, providing for changes in the qualifications of members of the state board of examiners for nursing home administrators (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Francis, Greive, Herr, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 289, providing for motorists' information signs (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Guess, Jolly, Knoblauch, Matson, Rasmussen, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 292, providing for an advisory board of agriculture (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 28, 1973.

HOUSE BILL NO. 304, changing law respecting school district's contribution for insurance and protection of board members, employees, etc. (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Odegaard, Vice Chairman; Bailey, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Peterson (Ted), Sandison.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 320, enlarging the area of residence for persons eligible for membership in the state soldiers' home (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Woody.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 369, changing pension benefits of volunteer firemen (reported by Committee on Local Government):

MAJORITY recommendation: Do pass to Ways and Means with recommendation for Actuary Study.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Sellar, Whetzel.

There being no objection, House Bill No. 369 was referred to the Committee on Ways and Means.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 385, establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 26, 1973.

HOUSE BILL NO. 444, authorizing cities and towns to expend a portion of the motor vehicle fuel tax for city street purposes (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Jolly, Knoblauch, Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

February 27, 1973.

ENGROSSED HOUSE BILL NO. 504, implementing the laws of agricultural marketing and provide for various securities in lieu of bond (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 28, 1973.

ENGROSSED HOUSE BILL NO. 567, prohibiting double taxation of mobile homes and repealing laws requiring mobile home identification tags (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison.

Passed to Committee on Rules for second reading.

February 27, 1973.

HOUSE BILL NO. 590, providing for representation of breeders of quarterhorses on the racing commission (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

February 22, 1973.

ENGROSSED HOUSE BILL NO. 594, providing for water pollution control in the state of Washington (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Murray, Stortini, Van Hollebeke.

Passed to Committee on Rules for second reading.

February 27, 1973

HOUSE BILL NO. 626, relating to fair ground capital improvements (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

## GUBERNATORIAL APPOINTMENT

February 27, 1973.

WALLACE J. MILLER, to the position of Director of the Office of Program Planning and Fiscal Management, appointed by the Governor on January 1, 1973 for the term ending at the Governor's pleasure (reported by the Committee on Ways and Means):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Fleming, Gardner, Lewis (Harry), Marsh, Metcalf, Newschwander, Ridder, Sandison, Scott.  
Passed to Committee on Rules.

## MESSAGES FROM THE HOUSE

February 27, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2048,

SENATE BILL NO. 2056,

SENATE BILL NO. 2080,

ENGROSSED SENATE BILL NO. 2081,

SENATE BILL NO. 2082,

ENGROSSED SENATE BILL NO. 2282,

SENATE BILL NO. 2331,

ENGROSSED SENATE BILL NO. 2358,

SENATE BILL NO. 2588, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 27, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 259,

HOUSE BILL NO. 628, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 259, by Representatives Flanagan, Williams, Haussler and Randall (by Permanent Property Tax Committee request):

Providing 30 days to appeal a decision of a county board of equalization to the state board of tax appeals.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 628, by Representatives Smith, Nelson, Randall, Beck, Flanagan and Hansen:

Exempting from catch taxes food fish and shellfish taken from fish farms.

Referred to Committee on Ways and Means.

## MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 11:00 a.m.

## SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 11:00 a.m.

## SECOND READING

ENGROSSED HOUSE BILL NO. 217, by Representatives Kopet, Thompson, Bagnariol and Chatalas (by Legislative Budget Committee request):

Providing procedures whereby the state treasurer can invest certain surplus funds in time deposit accounts.

The Senate resumed consideration of Engrossed House Bill No. 217 and the amendment by Senator Rasmussen to page 1, section 3, line 19 moved for adoption on Tuesday, February 27, 1973.

There being no objection, the amendment by Senator Rasmussen was withdrawn.

#### MOTIONS

On motion of Senator Murray, Senator Scott was excused.

On motion of Senator Rasmussen, the following amendments were adopted:

On page 2, line 14 of the engrossed bill, being page 2, line 18 of the printed bill, strike all of new section 5 of the engrossed bill, being new section 6 of the printed bill, and renumber the remaining sections.

On page 2, section 8, line 32 of the engrossed bill, being page 3, line 3 of the printed bill, strike "8" (being renumbered "9" of the printed bill) and insert "7".

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 217, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 217, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Greive, Jones, Ridder—3.

Excused: Senators Guess, Scott—2.

ENGROSSED HOUSE BILL NO. 217, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF SPECIAL COMMITTEE

President Pro Tempore Henry announced the presence within the bar of the Senate of Rebecca Lyn Alexander, the Washington State Wheat Queen and appointed a special committee consisting of Senators Donohue, Jolly, Twigg and Canfield to escort Queen Becky to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Queen Becky to address the Senate.

The special committee escorted the honored guest from the Senate Chamber.

#### PERSONAL PRIVILEGE

Senator Rasmussen: "Mr. President and members of the Senate, in today's Post Intelligencer there is an editorial which says, 'An Act of Cowardice'. There is a further article, 'The Senate Sows the Seed of Race Hatred' by a University of Washington professor. I want to call the attention of the Senate—'Last Friday the state Senate tacked an anti-bussing amendment onto an education appropriations bill.' I am only reading the first paragraph and the last. 'Constituents deserve to know how their Senators vote. In this matter, the people should demand an accounting.'



"Mr. President and members of the Senate, the reason I am raising this as personal privilege is I know that myself as well as all of you are not afraid to cast your vote at any time and in public. The Senate rules provide that in the committee of the whole the rules of the Senate shall apply. Which means that a roll call may be had at any time. Now the particular amendment that they are referring to that is an act of cowardice was an amendment proposed by Senator Jack Metcalf, an able and honorable Senator, and the amendment said that in line with the Constitution of the United States and the Constitution of the state of Washington that the Superintendent of Public Instruction should withhold any money for mandatory bussing contrary to the provisions of the state Constitution and the United States Constitution. I submit to you, Mr. President, that there is not a Senator on this floor that is guilty of cowardice in supporting the state Constitution and supporting the United States Constitution. I also submit that the editorial writer of the PI who put that editorial in the paper should put a retraction in. The Senate is not afraid to cast its vote in public. And particularly, it is not an act of cowardice to support our state Constitution and the United States Constitution. Thank you, Mr. President."

#### PERSONAL PRIVILEGE

Senator Bailey: "I would echo what Senator Rasmussen says, but I am not arguing the point at issue—for the amendment or against it. I would like to point out that in the Associated Press last weekend, maybe the United Press, the PI, and in the Times, the statement was made that we hid behind the committee of the whole. A year ago we changed our rules so that we can have a roll call in the committee of the whole. These stories betray the total ignorance of the reporters who made those statements."

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "It also pretty well displays the total ignorance of somebody teaching law at the University of Washington."

#### PERSONAL PRIVILEGE

Senator Fleming: "I would like to also echo some of the remarks of Senator Rasmussen. I too believe that the reporters who report on the activities of the legislature should be apprised of all the facts. But I would also like to deviate a little bit from that because I would have to admit as one member on this floor that I had forgotten that that rule had been changed and I would submit that probably a majority of the members on this floor had also forgotten, were not aware that that rule had been changed. So I would say that maybe it was an error on some members on the floor because I would have definitely asked for a roll call and I would just like to say that I do echo the remarks of Senator Rasmussen. He is right in saying what he is saying but I also would have to look at it on the other end of it, that many of us probably were not aware of it also."

#### PERSONAL PRIVILEGE

Senator Fleming: "I have to stand one more time on a personal privilege to also protect myself. I do not think that—no one said that someone called for the roll call. I have to admit that I was off on the wings when the last speaker spoke on this measure and before I could get back on the floor and ask for a division the gavel had been down as the amendment was passed. And so I would just like to indicate to you, Senator, that you are right. We should ask for a roll call and had I not been inadvertently off the floor talking to someone about the measure I would have asked for that roll call."

#### PERSONAL PRIVILEGE

Senator Metcalf: "Also speaking on a point of personal privilege, since I was the one mentioned here in this editorial entitled 'An Act of Cowardice', one sentence is, 'We do not

know for sure how anyone, including Senator Metcalf, voted.' And I just do not want to leave any doubt in anybody's mind. For the record, I voted yes. I have been accused of a lot of things but cowardice is not one of them."

#### PERSONAL PRIVILEGE

Senator Rasmussen: "I voted for the Metcalf amendment. I will vote for it again and vote for it continually when it comes to supporting the Constitution of the United States and the state of Washington."

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "I am sure the professor at the Law School and the University will be happy to know that."

#### SECOND READING

ENGROSSED HOUSE BILL NO. 268, by Representatives Thompson, Rabel, Charnley, Kilbury, Kuehnle and McCormick:

Excluding certain casual meetings and collective bargaining, grievance, or mediation proceedings from the public open meetings act.

#### REPORT OF STANDING COMMITTEE

February 23, 1973.

ENGROSSED HOUSE BILL NO. 268, excluding certain casual meetings and collective bargaining, grievance, or mediation proceedings from the public open meetings act (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 4, line 20, after "(4)" strike the underscored language down to the period on line 25 and insert the following: "*Meetings held for the purpose of discussing policies, positions and procedures to be taken by a public agency during the course of any labor negotiations involving wage and benefits, professional negotiations involving wage and benefits, or reviewing the proposals made by such negotiators; negotiations between public agencies and their employees or recognized bargaining representatives; dispute settlement proceedings: PROVIDED, HOWEVER, That the final adoption or ratification of a collective bargaining agreement by the governing body of a public agency shall be at a meeting open to the public*".

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

The bill was read the second time by sections.

Senator Rasmussen moved adoption of the committee amendment.

Debate ensued.

Senator Washington demanded a roll call and the demand was sustained by Senators Rasmussen, Connor, Jones, Metcalf, Matson, Dore, Odegaard, Stender and Woody.

#### ROLL CALL

The Secretary called the roll and the committee amendment was not adopted by the following vote: Yeas, 17; nays, 30; excused, 2.

Voting yea: Senators Bottiger, Clarke, Connor, Day, Grant, Henry, Keefe, Knoblauch, Metcalf, Newschwander, Rasmussen, Stender, Stortini, Talley, Twigg, Van Hollebeke, Woodall-17.

Voting nay: Senators Atwood, Bailey, Canfield, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Herr, Jolly, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Walgren, Wanamaker, Washington, Whetzel, Woody-30.

Excused: Senators Guess, Scott-2.

Senator Francis moved adoption of the following amendment:

On page 2, section 3, line 30, after "offense." insert: "*In every action brought for the assessment of a civil penalty the court shall award to the prevailing party reasonable expenses and reasonable attorney fees. Members of a governing body who have been found to be in violation shall be personally liable only for their pro rata share of the expenses and attorney fees.*"

Debate ensued.

#### POINT OF INQUIRY

Senator Walgren: "Would Senator Washington yield? Senator Washington, is it your understanding that in the awarding of the reasonable attorney's fees that the court takes into consideration between two parties that are involved in a lawsuit, the eminence of counsel on the other side?"

Senator Washington: "I do not think officially they do, but I think quite frequently after a verdict has been reached and they are determining the value of attorney's fees, there are not any very real definite guidelines. If you will look in at our guidelines, the specialty of the attorney who is involved is definitely one of the things that can be taken into consideration. If you will look in the rules of court, I have had this come up and I do know that the specialty of the person involved can be taken into consideration into the reasonableness of the fees which he charges."

#### POINT OF INQUIRY

Senator Stender: "Will Senator Francis yield? Senator, in your remarks you talked about the adversary proceedings here and it occurs to me that the public body will have counsel furnished them on the basis of their public moneys that are available to public bodies. How does this supposedly even up? You say that we are going to get reasonable counsel fees for bringing suit if you prevail. How is this going to work? The public body has already got counsel that is paid for by the taxpayers and I do not understand just what you are getting at."

Senator Francis: "Senator Stender, the bill itself says that the members of the public body themselves are only personally liable for their own pro rata share of those expenses. But they are personally liable for the expenses under this bill. This is not something that they have paid for them. If they violate the law willfully, the bill as written and has been in law for eighteen months does provide that they themselves incur those penalties. That is why I feel so strongly that they ought to have some protection against frivolous actions and I think a pretty good deterrent is to let somebody know that they had better be pretty sure they are right before they bring the suit because if they lose it they are going to have to pay some money themselves."

Further debate ensued.

The motion by Senator Francis failed and the amendment was not adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 268 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Whetzel: "I ask Senator Murray to yield. Senator Murray, is it the intent of Engrossed House Bill No. 268 by the change in section 2 relating to the holding of executive sessions to consider the acquisition of real estate by lease or purchase intended to curtail any laws or procedures requiring competitive bidding or to authorize a governing body when considering the purchase or lease of similar real estate such as office space, not to call for bids?"

## POINT OF ORDER

Senator Durkan: "Mr. President, how can Senator Murray tell what the intent of the House bill is? I mean, it seems to me that if he were part of the bill that came out as a Senate bill I could understand. If he is saying what his intent as to the House bill is, that is another thing. But if he is asking what the intent of the House bill is, I think that the only ones that can answer that probably are the sponsors and those who debated it in the House. But he can tell his understanding of it but I do not think he can say what the intent of the House bill is, Mr. President."

## POINT OF ORDER

Senator Lewis (Harry): "Speaking to the point of order raised by Senator Durkan, Mr. President, it seems to me that any Senator has the right to request an opinion of another Senator on the floor of this place and I see nothing dilatory or unresponsive and I think Senator Murray, with his experience and knowledge in this area and his actions on the bill, has as much a right to respond to questions as any House member might have in this case. If we were to follow the point of order raised by Senator Durkan we would not be free to express opinions whatsoever on this floor."

## REMARKS BY SENATOR DURKAN

Senator Durkan: "Briefly and to the point, Senator, I do not object to Senator Murray saying what his intent as to the House bill was. If Senator Whetzel would rephrase the question. He asked the question as to what the intent of the House bill was, not as to what the intent Senator Murray had on the House bill. The only thing I am saying is, and I agree with you, he has the right to express his intent as to the interpretation of the House bill. I have no objection to that. But I do not think he has the right to say what the intent of the House bill is."

Senator Murray: "I was going to answer the question just 'No' to stay within three minutes. I will now add to it and say in my opinion the intent expressed in the House bill is that there would be no change in the existing law."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 268, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senators Durkan, Francis-2.

Absent or not voting: Senator Bailey-1.

Excused: Senators Guess, Scott-2.

ENGROSSED HOUSE BILL NO. 268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 665, by Representatives Parker, Erickson, Curtis, Jueling and Perry: Providing for the licensing of podiatrists.  
The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, House Bill No. 665 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 665, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Bottiger—1.

Excused: Senators Guess, Scott—2.

HOUSE BILL NO. 665, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 175, by Representatives King, Jueling and Warnke (by Public Employees' Collective Bargaining Committee request):

Making certain amendments to the public employees' collective bargaining.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, House Bill No. 175 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 175, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; excused, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Wanamaker, Whetzel, Woody—36.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Jones, Lewis (Bob), Murray, Twigg, Walgren, Washington, Woodall—11.

Excused: Senators Guess, Scott—2.

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 Senator Mardesich, House Bill No. 452 was ordered placed on the second reading calendar for Thursday, March 1, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 337, by Representatives Perry, Rabel, Thompson, Morrison, Douthwaite and Pardini (by Department of Social and Health Services request):

Removing restrictions on convicted felons from obtaining certain employment.

The bill was read the second time by sections.

On motion of Senator Day, the following amendments were adopted simultaneously: On page 1, section 2, line 18 of the engrossed and printed bills, before "or" strike "profession".

On page 1, section 2, line 27 of the engrossed bill, being line 25 of the printed bill, before "or" strike "profession".

On page 2, section 2, line 3 of the engrossed bill, being line 1 of the printed bill, before "or" strike "profession".

On page 2, section 5, line 17 of the engrossed bill, being line 15 of the printed bill, after "business" strike "or profession".

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 337, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Day yield to a question? Senator Day, would the provisions of this bill apply in the case where a doctor has been convicted and is released and as you know there has been an application?"

Senator Day: "We just struck professions from the bill, Senator."

Senator Rasmussen: "It no longer affects business or professions?"

Senator Day: "It affects business but not professions."

Senator Rasmussen: "How about lawyers that have been disbarred?"

Senator Day: "Well, of course the same thing. Of course, there was a safety valve here in that the Supreme Court is the final determining factor in that particular instance anyway."

Senator Rasmussen: "As I read the law, it says 'Provisions of this chapter shall prevail over any other provisions of law.' . . . govern the denial of license permits and so forth."

Senator Day: "However, we just struck professions from the bill."

Senator Rasmussen: "Only professions?"

Senator Day: "Yes."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 337, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Guess, Scott—2.

ENGROSSED HOUSE BILL NO. 337, 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.

ENGROSSED HOUSE BILL NO. 240, by Representatives Rabel, Douthwaite, Swayze, Randall, Kraabel, Blair, Bluechel, Goltz, Brown, Ceccarelli, Charnley, Chatalas, Williams, Bausch, Adams and Perry (by Executive and Secretary of State request):

Lowering legal age for use of alcoholic beverages.

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 240 was made a special order of business for 2:30 p.m. today.

## SECOND READING

HOUSE BILL NO. 287, by Representatives Charette, Newhouse and Bauer:  
Providing for payment of substitutes for certain certificated personnel.

## REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 287, providing for payment of substitutes for certain certificated personnel (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

In section 1, line 20, after "050." insert "If such substitute is paid by the superintendent of public instruction, no deduction shall be made from the salary of the certificated employee. In no event shall a school district deduct from the salary of a certificated employee serving on such committee more than the amount paid the substitute employed by the district.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Peterson (Ted).

The bill was read the second time by sections.

Senator Bottiger moved adoption of the committee amendment.

## POINT OF INQUIRY

Senator Dore: "Would Senator Bottiger yield to a question? Could you tell us what this would mean in terms of dollars and cents to the average classroom teacher with ten years' experience? How much are they being paid now and how much is a substitute paid and would in effect the teacher then be making money as a subsidy on his own absence while he is serving, for instance, here in the state legislature?"

Senator Bottiger: "Senator Dore, I think everybody on the floor is aware of the school teacher legislator and I cannot answer specifically on the people under this bill but it is not unusual for a school district to deduct as much as eighty dollars a day from a teacher's salary while they are serving on a committee like this and yet only pay the substitute twenty dollars, if anything."

## MOTION

On motion of Senator Mardesich, House Bill No. 287, together with the pending committee amendment, was ordered to hold its place on the second reading calendar for Thursday, March 1, 1973.

HOUSE BILL NO. 367, by Representatives Gaspard, Nelson and Kelley:

Changing law relating to warrants of public school teachers.

The bill was read the second time by sections.

On motion of Senator Gardner, the rules were suspended, House Bill No. 367 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 367, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Excused: Senators Guess, Scott—2.

HOUSE BILL NO. 367, having received the constitutional 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. 249, by Representatives Kopet, Thompson and Bluechel:

Providing for the abolishment of the weather modification board.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 249 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 249, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Talley—1.

Excused: Senators Guess, Scott—2.

ENGROSSED HOUSE BILL NO. 249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 396, by Representatives Erickson and Brown:

Providing for additional counting boards on election.

### REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 396, providing for additional counting boards on election (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause insert the following new section:

"*NEW SECTION.* Section 1. Section 29.33.220, chapter 9, Laws of 1965 as amended by section 1, chapter 124, Laws of 1971 ex. sess. and RCW 29.33.220 are each amended to read as follows:

Before each *primary* election at which voting machines or voting devices are to be used *or more frequently as the custodian deems necessary*, the custodian shall instruct all inspectors, [and] judges, *and clerks* of election who are to serve thereat in the use of the machine or voting device and their duties in connection therewith. He shall give to each inspector and judge who has received instruction and is fully qualified to conduct the election with a machine or voting device a certificate to that effect. For the purpose of instruction, the custodian shall call such meetings of the inspectors and judges as may be necessary. Every inspector and judge shall attend the meetings and receive instruction in the proper conduct of the election with a machine or voting device. As compensation for the time spent in receiving instruction each inspector and judge who qualifies and serves in the election shall receive an additional two hours' compensation to be paid to him at the same time and in the same manner as compensation is paid him for his services on election day.



No inspector or judge of election shall serve in any *primary or general* election at which a voting machine or voting device is used unless he has received the required instruction and is fully qualified to perform his duties in connection with the machine or voting device and has received a certificate to that effect from the custodian of the machines or voting devices: PROVIDED, That this shall not prevent the appointment of an inspector, or judge of election to fill a vacancy in an emergency."

Renumber the remaining sections consecutively.

On line 1 of the title after "elections;" and before "amending" insert "amending section 29.33.220, chapter 9, Laws of 1965 as amended by section 1, chapter 124, Laws of 1971 ex. sess. and RCW 29.33.220;".

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stender, Washington.

The bill was read the second time by sections.

On motion of Senator Grant the committee amendment was adopted.

On motion of Senator Grant, the committee amendment to the title was adopted.

On motion of Senator Grant, the rules were suspended, House Bill No. 396, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 396, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Excused: Senators Guess, Scott-2.

HOUSE BILL NO. 396, 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.

ENGROSSED HOUSE BILL NO. 455, by Representatives Kuehnle, Haussler and Knowles:

Authorizing revenue bonds for sewer services in irrigation districts.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 455 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 455, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Excused: Senators Guess, Scott-2.

ENGROSSED HOUSE BILL NO. 455, having received the 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 Senator Mardesich, House Bill No. 364 was ordered to hold its place on the second reading calendar for Thursday, March 1, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 291, by Representative Charette:  
Prohibiting private appraising by assistant and deputy assessors.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 291, prohibiting private appraising by assistant and deputy assessors (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 13 of the engrossed bill, after "employed" and before the semicolon, being the last line of the House committee amendment to line 12, insert "*without the permission of the county assessor*".

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Fleming, the following amendment was adopted:

On page 2, line 10 of the engrossed bill, being line 9 of the printed bill after "by" and before "vote" strike "unanimous" and insert "[unanimous] *majority*".

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 291, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 291, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Voting nay: Senator Whetzel—1.

Absent or not voting: Connor, Donohue—2.

Excused: Senators Guess, Scott—2.

ENGROSSED HOUSE BILL NO. 291, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 12:35 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:00 p.m.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2048,  
 SENATE BILL NO. 2056,  
 SENATE BILL NO. 2080,  
 SENATE BILL NO. 2081,  
 SENATE BILL NO. 2082,  
 SENATE BILL NO. 2282,  
 SENATE BILL NO. 2331,  
 SENATE BILL NO. 2358,  
 SENATE BILL NO. 2588.

## SECOND READING

ENGROSSED HOUSE BILL NO. 262, by Representatives Smythe, Bauer, Zimmerman and Laughlin:

Creating a board of trustees for the state school for the blind.

## REPORT OF STANDING COMMITTEE

January 26, 1973.

ENGROSSED HOUSE BILL NO. 262, creating a board of trustees for the state school for the blind (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 6, after "appointed" and before "by the governor" insert "in accordance with procedure of section 9 of this 1973 act".

On page 2, section 2, line 11, after "No" and before "trustee" insert "voting".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, the following amendment was adopted:

On page 5, section 10, line 8, after "through" strike "8" and insert "9".

On motion of Senator Day, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "creating" strike "a" and after "new" strike "section" and insert "sections".

On motion of Senator Marsh, the rules were suspended, Engrossed House Bill No. 262, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 262, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Absent or not voting: Senators Bottiger, Greive, Newschwander, Sellar—4.  
Excused: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 262, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 601, by Representatives Parker, King, Erickson, Rabel, Fortson, Warnke, Bender, Clemente and Maxie:  
Revising voter registration procedures.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 601, revising voter registration procedures (reported by Committee on Constitution and Elections):

Recommendation: Do pass with the following amendment:

On page 2, add a new section following section 1 as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 29.07 RCW a new section to read as follows:

In addition to other information required by this chapter, each applicant for registration shall establish his identity, unless personally known by the registration officer, by producing at least one of the following items:

(1) A social security card containing the applicant's signature. Whenever the social security record is so used, the registration officer shall enter the applicant's social security number upon the appropriate registration forms;

(2) A driver's license which contains the signature and/or a photograph of the applicant;

(3) A valid Washington state identicaid;

(4) A nationally or regionally known credit card containing the signature and/or photograph of the applicant;

(5) An identification card issued by the United States, any state or any agency of either, of a kind commonly used to identify the members or employees of such government agencies (including military I.D. cards), and which contain the signature and/or the photograph of the applicant.

In addition, whenever the registration officer has a doubt as to whether the applicant is of legal voting age, such officer may require the applicant to produce a record which establishes date of birth.

Failure to produce such identification at the time of registration as set forth in this section shall not deter the act of registration: PROVIDED, That registration officials shall indicate on the registration form by checking either "identification produced" or "identification not produced".

Renumber the remaining sections consecutively.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

The bill was read the second time by sections.

Senator Grant moved adoption of the committee amendment.

#### POINT OF INQUIRY

Senator Francis: "Would Senator Grant yield? Senator Grant, reading this committee amendment, does it mean that if you do not have one of these listed kinds of cards that the registrar could say, 'I am sorry, your identification is not good enough for me and we are not going to let you register to vote?'"

Senator Grant: "That is not meant at all, Senator Francis. I think if you will read at the bottom of the amendment it says, 'Failure to produce such identification at the time of registration shall not deter the act of registration'."

Senator Francis: "What does that mean, Senator Grant? I do not understand. If it says that the registrar can require the production of one of these listed items and if the person does not have it, then what does the bottom part of your amendment mean?"

Senator Grant: "It means that if he does not have it he does not have to produce it."

The motion by Senator Grant carried and the committee amendment was adopted.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 601, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 601, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Fleming—1.

Absent or not voting: Senator Newschwander—1.

Excused: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 601, 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 Senator Matson, Senator Newschwander was excused.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED HOUSE BILL NO. 240, by Representatives Rabel, Douthwaite, Swayze, Randall, Kraabel, Blair, Bluechel, Goltz, Brown, Ceccarelli, Charnley, Chatalas, Williams, Bausch, Adams and Perry (by Executive and Secretary of State request):

Lowering legal age for use of alcoholic beverages.

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 240 was ordered placed on the second reading calendar for Thursday, March 1, 1973.

#### SECOND READING

HOUSE BILL NO. 107, by Representatives Haussler and Curtis:

Repealing the requirement that directors of television reception improvement districts be bonded.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, House Bill No. 107 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 107, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senators Atwood, Gardner, Grant—3.

Absent or not voting: Senator Twigg—1.

Excused: Senator Scott—1.

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.

ENGROSSED HOUSE BILL NO. 402, by Representatives King, Eng and Blair (by Secretary of State request):

Relating to the counting of absentee ballots.

The bill was read the second time by sections.

Senator Grant moved adoption of the following amendment:

On page 1, section 1, line 10 of the engrossed bill, being the House committee amendment to page 1, section 1, line 9, after "*the*" insert "*opening of the inner envelopes and*".

## POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Grant yield to a question? Senator Grant, do I understand that your amendment would preclude the counting of ballots until what time in the election? Until eight o'clock of the election night?"

Senator Grant: "That is correct."

Senator Lewis (Harry): "Absentee ballots?"

Senator Grant: "Absentee ballots."

Senator Lewis (Harry): "Thank you."

Senator Grant: "This amendment does not do that. The floor amendment, the first one, does not do that."

The motion by Senator Grant carried and the amendment was adopted.

On motion of Senator Grant, the following amendment was adopted:

On page 2, section 2, beginning on line 10 of the engrossed bill, being line 5 of the House committee amendment to page 2, strike the remainder of the section and insert:

"As an alternative to the procedure set forth in section 1 of this 1973 amendatory act, the county canvassing board, or its duly authorized representatives, may elect not to initial the inner envelope but instead place all such envelopes in containers that can be secured with a numbered metal seal and such sealed containers shall be stored in the most secure vault available within the courthouse until after 8:00 o'clock p.m. of the day of the primary or election: PROVIDED, That in the instance of punchcard absentee ballots, such ballots may be taken from the inner envelopes and all the normal procedural steps performed necessary to prepare punchcard ballots for computer count and then placed in said sealed containers."

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 402, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 402, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Dore, Greive, Van Hollebeke—3.

Excused: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 402, 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.

ENGROSSED HOUSE BILL NO. 149, by Representatives Bender, Clemente, Parker, Fortson, Eng, Charnley, Erickson and Maxie:

Providing a voter's pamphlet to each person requesting an absentee ballot.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 149 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 149, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Scott—1.

ENGROSSED 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. 476, by Representatives Thompson, Rabel and Conner:

Defining certificated employee for the purposes of Title 28A RCW.

## MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 476 was referred to the Committee on Ways and Means.

## SECOND READING

HOUSE BILL NO. 185, by Representatives Anderson, Charette and Bausch:

Establishing state highway route number 115.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, House Bill No. 185 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 185, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Durkan—1.

Excused: Senator Scott—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.

ENGROSSED HOUSE BILL NO. 98, by Representative Savage:

Requiring the director of the department of labor and industries to notify the county prosecutor of suspected violations.

#### REPORT OF STANDING COMMITTEE

February 21, 1973.

ENGROSSED HOUSE BILL NO. 98, requiring the director of the department of labor and industries to notify the county prosecutor of suspected violations (reported by Committee on Labor):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 13 of the engrossed bill, being line 8 of the House Committee Amendment, after "*penalty*" strike "*of*" and insert "*not to exceed*".

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder, Stender.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

Senator Woodall moved adoption of the following amendment:

On page 1, section 1, line 13 of the engrossed bill, being line 8 of the committee amendment, after the comma, insert "*subject to the provisions of chapter 34.04 RCW,*".

Debate ensued.

The motion by Senator Woodall carried and the amendment was adopted.

On motion of Senator Ridder, the rules were suspended, Engrossed House Bill No. 98, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woody: "Would Senator Ridder yield? Senator Ridder, just for legislative intent purposes, when you state on line 16 that is the first priority, I realize that under the statute it is already first priority under the contractor's bond provision and that the state of Washington is second priority. Third is materials and fourth is breach of contract. Yet the state of Washington under number two priority comes in and puts a withhold and pay lien immediately on a contractor's bond. Is it the intent of the legislature under this amendment to House Bill No. 98 that the wages be a true first priority even ahead of the state of Washington?"



Senator Ridder: "Yes, because he is the little fellow that has been wronged in this case by the perjuring of the oath."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 98, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 98, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Mardesich, House Bill No. 102 was ordered to hold its place on the second reading calendar for Thursday, March 1, 1973.

At 2:55 p.m., on motion of Senator Mardesich, the Senate recessed until 3:20 p.m.

#### SECOND AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 3:20 p.m.

#### SECOND READING

HOUSE BILL NO. 36, by Representative Smythe:

Permitting disbursement of county funds under the control of the county auditor and treasurer.

#### MOTION

On motion of Senator Fleming, House Bill No. 36 was re-referred to the Committee on Rules.

#### SECOND READING

HOUSE BILL NO. 60, by Representatives Johnson, Kuehnle and Haussler (by Legislative Council request):

Authorizing disposal of surplus real property by irrigation districts.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 60, authorizing disposal of surplus real property by irrigation districts (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. There is added to chapter 58.17 RCW a new section to read as follows:

In addition to any other requirements imposed by the provisions of this chapter, the legislative authority of any city, town, or county shall not approve a short plat or final plat, as defined in RCW 58.17.020, for any subdivision, short subdivision, lot, tract, parcel, or site which lies in whole or in part in an irrigation district organized pursuant to chapter 87.03 RCW unless there has been provided an irrigation water right of way for each parcel of land in such district and such rights of way shall be evidenced by the respective plats submitted for final approval to the appropriate legislative authority. Compliance with the requirements of this section together with all other applicable provisions of this chapter shall be a prerequisite, within the expressed purpose of this chapter, to any sale, lease, or development of land in this state."

In line 2 of the title, after "RCW 87.03.820" strike "." and add "; and adding a new section to chapter 58.17 RCW."

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment to page 2 was adopted.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Fleming yield to a question? Senator Fleming, is it clear that this amendment we just adopted does not in any way affect planning or subdivisions outside of irrigation districts in other areas of the state?"

Senator Fleming: "From my understanding."

Senator Lewis (Harry): "And it does not reflect or involve or include drainage waters as they might affect plats and subdivisions or require irrigation ditches or that sort of thing as a prerequisite for platting or subdivision in other areas of the state?"

Senator Fleming: "From my understanding that is correct. But you might have some expert from the hinterlands that might be able to give you a more specific answer to that question."

#### MOTION

On motion of Senator Washington, House Bill No. 60, the adopted committee amendment, and the pending title amendment, was ordered held for the second reading calendar on Thursday, March 1, 1973.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 65, by Committee on Commerce (originally sponsored by Representatives Conner and Martinis):

Exempting nonprofit, amateur boxing and wrestling matches from state control.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 65 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 65, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison,

Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Atwood—1.

Excused: Senator Scott—1.

SUBSTITUTE HOUSE BILL NO. 65, having received the constitutional 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. 86, by Representatives Shinpoch, Gallagher, Randall, Bagnariol, Polk, Chatalas, Kopet and Curtis (by Legislative Budget Committee request):

Implementing law relating to public records and their retention, protection, disposal or reproduction.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 86 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Atwood, Stender—2.

Excused: Senator Scott—1.

ENGROSSED HOUSE BILL NO. 86, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 128, by Representatives Sommers and Kraabel:

Raising filing fees for registration of land titles.

#### REPORT OF STANDING COMMITTEE

February 23, 1973.

HOUSE BILL NO. 128, raising filing fees for registration of land titles (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8, after "J" and before "five" strike "twenty-".

Signed by: Senators Fleming, Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

The bill was read the second time by sections.

On motion of Senator Whetzel, the committee amendment was adopted.

On motion of Senator Whetzel, the rules were suspended, House Bill No. 128, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Whetzel yield to a question? Senator Whetzel, do you have any information as to what the reserve fund, the guarantee fund is under the Torenn's Title Act?"

Senator Whetzel: "No."

Senator Rasmussen: "I wonder if the increasing the amount was to increase the reserve for the guarantees under the Torenn's Title."

Senator Whetzel: "It was not explained to us in committee that way. I think it was explained just simply as we have the fees, you know, for filing deeds and such, deeds and mortgages under the more regular system or the more common system of recording titles, as they have been increased from time to time to cover the costs, that is simply the purpose of this bill."

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 128, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—45.

Absent or not voting: Senators Atwood, Stender, Woodall—3.

Excused: Senator Scott—1.

HOUSE BILL NO. 128, 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.

HOUSE BILL NO. 155, by Representatives Newhouse and Haussler (by Legislative Council request):

Repealing certain statutes relating to the valuation of trust lands sold for park purposes.

The bill was read the second time by sections.

On motion of Senator Woody, the rules were suspended, House Bill No. 155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 155, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Absent or not voting: Senators Atwood, Jones, Peterson (Ted), Woodall—4.

Excused: Senator Scott—1.

HOUSE BILL NO. 155, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 198, by Representatives Chatalas, Curtis and Adams (by Department of Social and Health Services request):

Extending the crediting of adoption fees to the adoption support account to the 1973-75 biennium and allowing the secretary of the department of social and health services to file his report in 1975.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, House Bill No. 198 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 198, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Atwood, Stender—2.

Excused: Senator Scott—1.

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. 233, by Representatives Maxie, Rabel, Charnley and King (by Joint Committee on Higher Education request):

Correcting inconsistent, deleting obsolete, provisions of higher education code.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 233 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 233, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Atwood, Peterson (Ted)—2.

Excused: Senator Scott—1.

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. 235, by Representatives Maxie, Rabel and King (by Joint Committee on Higher Education request):

Providing educational benefits to children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 235 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 235, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Atwood—1.

Excused: Senator Scott—1.

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.

HOUSE BILL NO. 165, by Representatives Kopet and Randall:

Repealing county treasurers' reports.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, House Bill No. 165 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 165, and the bill passed the Senate by the following vote: Yeas, 32; nays, 14; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Talley, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall—32.

Voting nay: Senators Bottiger, Clarke, Grant, Guess, Jones, Knoblauch, Mardesich, Newschwander, Odegaard, Ridder, Stender, Stortini, Van Hollebeke, Woody—14.

Absent or not voting: Senators Connor, Durkan—2.

Excused: Senator Scott—1.

HOUSE BILL NO. 165, having received the 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. 273, by Committee on Labor (originally sponsored by Representatives Savage, Kilbury, Gaines, Gaspard and Warnke):

Providing for study for need of employee walkways along railroad bridges and trestles.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Substitute House Bill No. 273 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## MOTION

Senator Newschwander moved that Substitute House Bill No. 273 be referred to the Committee on Ways and Means.

## POINT OF INQUIRY

Senator Woodall: "I wanted to ask Senator Ridder a question. Seriously, Senator, just what does this committee intend to find? Is it to put ramps out on railroad bridges for people to walk on?"

Senator Ridder: "According to the testimony we heard, they want the Utilities and Transportation Committee of the state of Washington to merely look at the feasibility—now the original bill stated that they would mandate automobile roadways and walkways on new trestles, railway bridges, and that seemed to be way out. So in order to get away from this they decided to put into the Utilities and Transportation Commission a study. I do not think the cost is going to run to anything because it is run by the Utilities and Transportation Commission which is an ongoing group and it merely brings in some people from the railways, both the workers and the companies, just to take a look at the thing and see how feasible it is and what kind of walkways would be built."

Senator Woodall: "Just one more question. You mean you are going to have pedestrians walking across railroad bridges and you are going to have cars driving across them?"

Senator Ridder: "No, the idea is that we anticipate a Federal Railway Safety Act. This is in anticipation. What they want to do is to work with them and what they think is coming. And so they would be prepared when the act came to build into any federal act the necessary statute in Washington to facilitate this. It seems to me it is a very sensible study."

## POINT OF INQUIRY

Senator Newschwander: "You still have not answered my question, though, as to what is this going to cost and where is the money coming from. You said, out of Utility Commission's budget, but we had a hearing several weeks ago on their budget and they are already tight for money and were wanting more. In fact I think an amendment was made in the committee that we are going to try to find them some more money. Now you are setting up a commission, I believe it is seven people, with no guidelines and you say it is not going to cost much. Well, you know what it costs every time a commission gets together for a day's meeting."

Senator Ridder: "This is not a commission, it is a study committee, which means they get together, there is no per diem, there is nothing else connected with it. And it seems to me that if we have a Federal Railway Act coming, regulations being set by them, that it would be wise to study the problem so that we could correlate and coordinate with them when the time comes."

## POINT OF INQUIRY

Senator Canfield: "Mr. President, Senator Durkan who is the chairman of Ways and Means is not on the floor but Senator Donohue and Senator Odegaard are and I would like to be assured there is no fiscal impact on this bill."

Senator Donohue: "Senator Canfield, as you know this is a consent calendar. We just got it. We have not received the fiscal notes and I agree with Senator Newschwander; let us put it up in Ways and Means and take a look at it."

The motion by Senator Newschwander carried and Substitute House Bill No. 273 was referred to the Committee on Ways and Means.

## SECOND READING

ENGROSSED HOUSE BILL NO. 277, by Representatives Nelson and Douthwaite:

Providing a specific day for the legislative body of code cities to meet for the purpose of fixing the budget.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 277 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 277, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Atwood—1.

ENGROSSED HOUSE BILL NO. 277, having received the 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. 278, by Representatives Haussler, Flanagan, Brown, Ellis, Bender, Clemente and Tilly (by Joint Committee on Education request):

Implementing the law relating to joint school districts.

#### MOTION

On motion of Senator Washington, House Bill No. 278 was re-referred to the Committee on Rules.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 279, by Representatives Savage, Zimmerman and Adams (by Department of Social and Health Services request):

Providing some industrial insurance benefits to inmates of juvenile forest camps.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Engrossed House Bill No. 279 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 279, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Atwood—1.

ENGROSSED HOUSE BILL NO. 279, having received the constitutional 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. 293, by Representative Charette:

Making the assessor's records open to public inspection.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 293 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 293, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 330, by Representative Kelley (by Secretary of State request):

Changing the laws of involuntary dissolution of miscellaneous and mutual corporations.

The bill was read the second time by sections.

On motion of Senator Bottiger, the rules were suspended, Engrossed House Bill No. 330 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 330, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 330, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 331, by Representatives Julin and Kelley (by Secretary of State request):

Requiring reports of foreign corporations and reducing the penalty for filing late reports.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, House Bill No. 331 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 331, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senators Grant, Lewis (Bob)—2.

HOUSE BILL NO. 331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 342, by Representatives Julin, Polk, Thompson, Curtis and Newhouse:

Permitting cities, towns, and special taxing districts to purchase liability insurance for officers and employees.

## REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 342, permitting cities, towns, and special taxing districts to purchase liability insurance for officers and employees (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, add a new section following section 7 as follows:

"*NEW SECTION.* Sec. 8. There is added to chapter 87.03 RCW a new section to read as follows:

The board of directors of each irrigation district may purchase liability insurance with such limits as they may deem reasonable for the purpose of protecting their officials and employees against liability for personal or bodily injuries and property damage arising from their acts or omissions while performing or in good faith purporting to perform their official duties."

In line 8 of the title after "RCW;" and before "adding" strike "and".

In line 9 of the title after "RCW" strike "." and insert "; and adding a new section to chapter 87.03 RCW."

Signed by: Senators Fleming, Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

The bill was read the second time by sections.

On motion of Senator Murray, the committee amendment on page 3 was adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 3, section 7, line 2, after "district" strike "county".

On motion of Senator Murray, the committee amendments to the title were adopted.

On motion of Senator Murray, the rules were suspended, House Bill No. 342, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 342, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Fleming—1.

HOUSE BILL NO. 342, 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.

HOUSE BILL NO. 420, by Representatives Savage, Morrison and Gallagher (by Department of Employment Security request):

Making certain administrative changes in unemployment compensation.

#### MOTION

On motion of Senator Matson, House Bill No. 420 was re-referred to the Committee on Rules.

#### SECOND READING

HOUSE BILL NO. 436, by Representatives Savage, Morrison and Paris (by Department of Employment Security request):

Providing for conformity of state unemployment compensation with federal law.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, House Bill No. 436 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 436, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Fleming, Jones—2.

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.

#### MOTIONS

On motion of Senator Dore, House Bill No. 462 was ordered placed at the beginning of the second reading calendar for Thursday, March 1, 1973.

On motion of Senator Dore, House Bill No. 467 was ordered placed on the second reading calendar for Thursday, March 1, 1973, immediately after House Bill No. 462.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 504, by Representatives Benitz, Kilbury, Van Dyk, Berentson, Newhouse and Bauer:

Implementing the laws of agricultural marketing and providing for various securities in lieu of bond.

## REPORT OF STANDING COMMITTEE

February 27, 1973.

ENGROSSED HOUSE BILL NO. 504, implementing the laws of agricultural marketing and providing for various securities in lieu of bond (reported by Committee on Agriculture): MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20, of the engrossed and printed bill, after "adopt" and before "regulations" insert "rules and".

On page 1, section 3, line 27, of the engrossed and printed bill, after "rules" and before "necessary" insert "and regulations".

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, the rules were suspended, Engrossed House Bill No. 504, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 504, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Fleming—1.

ENGROSSED HOUSE BILL NO. 504, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 551, by Representatives Conner and Van Dyk:

Providing procedures for administering the flood control permit program.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 551 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 551, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Bottiger—1.

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.

HOUSE BILL NO. 585, by Representatives Cunningham, Bender and Nelson:

Authorizing the appointment of up to seven park commissioners in second, third, and fourth class cities.

The bill was read the second time by sections.

On motion of Senator Sellar, the rules were suspended, House Bill No. 585 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 585, and the bill passed the Senate by the following vote: Yeas, 49.

\* Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

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.

#### MOTION

On motion of Senator Jolly, House Bill No. 590 was ordered to hold its place on the second reading calendar for Thursday, March 1, 1973.

#### SECOND READING

HOUSE BILL NO. 645, by Representatives Maxie, Brown, Conner and Laughlin:

Giving state board for community college education jurisdiction over programs of students enrolled in more than one community college.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

HOUSE BILL NO. 645, giving state board for community college education jurisdiction over programs of students enrolled in more than one community college (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass with the following amendment:

Strike all of section 1 and substitute the following:

“*NEW SECTION.* Section 1. There is added to chapter 28B.50 RCW a new section to read as follows:

In addition to other powers and duties, the college board may issue rules and regulations permitting a student to register at more than one community college, provided that such student shall pay tuition and fees as if he were registered at a single college, but not to exceed tuition and fees charged a full-time student as established by RCW 28B.15.500.”

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendment was adopted.

On motion of Senator Sandison, the rules were suspended, House Bill No. 645, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 645, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Lewis (Harry)—1.

HOUSE BILL NO. 645, 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.

HOUSE BILL NO. 663, by Representative Charnley:

Requiring additional qualifications of water well construction licenses.

## MOTION

On motion of Senator Woodall, House Bill No. 663 was re-referred to the Committee on Rules.

## SECOND READING

ENGROSSED HOUSE BILL NO. 694, by Representatives King, Brown, Laughlin and Zimmerman:

Making mandatory certain polling hours at both elections and primaries.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 694 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 694, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 694, having received the 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. 758, by Representatives Barden and Bagnariol:

Providing standards for the valuation of fraternal benefit insurance certificates.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, House Bill No. 758 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 758, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 758, having received the constitutional 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. 257, by Representatives Curtis, Kopet, Smythe and Wilson:

Allowing cities to join in county park and recreation service areas.

The bill was read the second time by sections.

On motion of Senator Sellar, the rules were suspended, Engrossed House Bill No. 257 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 257, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

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.

## MOTIONS

On motion of Senator Durkan, Engrossed House Bill No. 280 was ordered to hold its place on the second reading calendar for Thursday, March 1, 1973.

On motion of Senator Mardesich, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 28, 1973.

SENATE BILL NO. 2346, limiting property tax levies (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2346 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Gardner, Lewis (Harry), Mardesich, Marsh, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

February 28, 1973.

ENGROSSED HOUSE BILL NO. 753, permitting public assistance grants to certain high school students (reported by Committee on Rules) which recommends that Engrossed House Bill No. 753 do pass as amended by the Committee on Social and Health Services and that it be referred to the Committee on Ways and Means.

Signed by: John A. Cherberg, Chairman; Senators Atwood, Bailey, Guess, Keefe, Mardesich, Marsh, Stender, Woodall.

Engrossed House Bill No. 753 was referred to Committee on Ways and Means.

#### MOTION

At 4:40 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, March 1, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### FIFTY-THIRD DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, March 1, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Guess and Twigg. On motion of Senator Woodall, Senators Guess and Twigg were excused.

The Color Guard, consisting of Pages Daniel Cooper and Monica Mardesich, presented the Colors. Reverend George W. Mitchell, pastor of The First Christian Church of Olympia, offered the following prayer:

“ETERNAL GOD AND LOVING HEAVENLY FATHER, AS THIS BODY OF SENATORS BEGINS THEIR WORK FOR ANOTHER DAY, WE PAUSE TO ASK YOUR BLESSING AND GUIDANCE FOR EACH ONE OF THEM. WHEN THEY ARE HONESTLY PERPLEXED, GIVE THEM WISDOM TO DETERMINE THE REAL ISSUES AND TO CHOOSE RIGHTLY BETWEEN THEM. WHEN THEY ARE PRESSURED FROM EVERY SIDE, GIVE THEM THE COURAGE TO DECIDE WITHOUT PREJUDICE. WHEN THEY ARE CONFRONTED WITH DIFFICULT DECISIONS, GIVE THEM STRENGTH TO ACT WITHOUT DELAY. MAY EACH ONE HERE BECOME AWARE OF YOUR CONSTANT PRESENCE ALONGSIDE THEM, AND OF YOUR CONTINUING CONCERN



FOR THEM IN THE DECISION-FILLED DAYS JUST AHEAD. FOR WE MAKE OUR PRAYER IN THE NAME OF YOUR SON, JESUS CHRIST. AMEN.”

## MOTION.

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGES FROM THE HOUSE

February 28, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2100,

SENATE BILL NO. 2125,

SENATE BILL NO. 2240,

SUBSTITUTE SENATE BILL NO. 2362,

SENATE BILL NO. 2592,

SUBSTITUTE SENATE BILL NO. 2784, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 28, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2039,

ENGROSSED SENATE BILL NO. 2042,

ENGROSSED SENATE BILL NO. 2163,

ENGROSSED SENATE BILL NO. 2187,

ENGROSSED SENATE BILL NO. 2213,

ENGROSSED SENATE BILL NO. 2251,

SENATE BILL NO. 2252,

SENATE BILL NO. 2400,

SENATE BILL NO. 2527, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 28, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 21,

HOUSE BILL NO. 41,

HOUSE BILL NO. 47,

HOUSE BILL NO. 89,

HOUSE BILL NO. 109,

HOUSE BILL NO. 117,

HOUSE BILL NO. 153,

HOUSE BILL NO. 194,

HOUSE BILL NO. 212,

HOUSE BILL NO. 263,

HOUSE BILL NO. 281,

HOUSE BILL NO. 284,

HOUSE BILL NO. 307,

HOUSE BILL NO. 308,

HOUSE BILL NO. 309,

HOUSE BILL NO. 310,

HOUSE BILL NO. 311,

HOUSE BILL NO. 312,

HOUSE BILL NO. 321,

HOUSE BILL NO. 325,

HOUSE BILL NO. 360,

HOUSE BILL NO. 373,

HOUSE BILL NO. 388,  
 HOUSE BILL NO. 477,  
 HOUSE JOINT MEMORIAL NO. 5, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

February 28, 1973.

Mr. President: The House has passed SUBSTITUTE HOUSE BILL NO. 497, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 497, by Committee on Ways and Means—Appropriations (originally sponsored by Representatives Bagnariol and Shinpoch):

Making a reappropriation of certain funds to the legislative budget committee.

#### MOTIONS

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 497 was advanced to second reading.

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 10:30 a.m.

#### SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 10:30 a.m.

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 21,  
 HOUSE BILL NO. 41,  
 HOUSE BILL NO. 47,  
 HOUSE BILL NO. 89,  
 HOUSE BILL NO. 109,  
 HOUSE BILL NO. 117,  
 HOUSE BILL NO. 153,  
 HOUSE BILL NO. 194,  
 HOUSE BILL NO. 212,  
 HOUSE BILL NO. 263,  
 HOUSE BILL NO. 281,  
 HOUSE BILL NO. 284,  
 HOUSE BILL NO. 307,  
 HOUSE BILL NO. 308,  
 HOUSE BILL NO. 309,  
 HOUSE BILL NO. 310,  
 HOUSE BILL NO. 311,  
 HOUSE BILL NO. 312,  
 HOUSE BILL NO. 321,  
 HOUSE BILL NO. 325,  
 HOUSE BILL NO. 360,  
 HOUSE BILL NO. 373,  
 HOUSE BILL NO. 388,  
 HOUSE BILL NO. 477,  
 HOUSE JOINT MEMORIAL NO. 5.

## MOTION

On motion of Senator Mardesich, the Senate immediately commenced consideration of Engrossed House Bill No. 240.

## SECOND READING

ENGROSSED HOUSE BILL NO. 240, by Representatives Rabel, Douthwaite, Swayze, Randall, Kraabel, Blair, Bluechel, Goltz, Brown, Ceccarelli, Charnley, Chatalas, Williams, Bausch, Adams and Perry (by Executive and Secretary of State request):

Lowering legal age for use of alcoholic beverages.

The bill was read the second time by sections.

Senator Stender moved adoption of the following amendments:

On page 2, lines 18 and 30, strike "nineteen" and insert "eighteen".

On page 3, lines 7 and 31, strike "nineteen" and insert "eighteen".

On page 4, lines 5, 16, 20, 23, 27, and 31 strike "nineteen" and insert "eighteen".

On page 5, lines 1, 7, 15, 23, 24, 26, and 27, strike "nineteen" and insert "eighteen".

Debate ensued.

## POINT OF ORDER

Senator Francis: "Mr. President, I have no objections to Senator Stender not abiding by the three-minute rule if the rest of us can have the same privilege, but otherwise I understood we were limited to three minutes each."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is well taken."

Further debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Connor, Rasmussen, Peterson (Ted), Van Hollebeke, Woody, Fleming, Grant, Francis and Metcalf.

## ROLL CALL

The Secretary called the roll and the amendments by Senator Stender were not adopted by the following vote: Yeas, 14; nays, 31; absent or not voting, 2; excused, 2.

Voting yea: Senators Clarke, Durkan, Francis, Grant, Lewis (Harry), Matson, Metcalf, Murray, Peterson (Lowell), Ridder, Scott, Stender, Van Hollebeke, Walgren—14.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Gardner, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Sellar, Stortini, Talley, Wanamaker, Washington, Whetzel, Woodall, Woody—31.

Absent or not voting: Senators Greive, Mardesich—2.

Excused: Senators Guess, Twigg—2.

Senator Bottiger moved adoption of the following amendment:

On page 2, section 1, line 18 after "of" strike all of the material down to the comma on line 19 and insert "[twenty-one years any intoxicating liquor] *nineteen years for consumption of intoxicating liquor on the premises of any licensed establishment and twenty-one years for removal of intoxicating liquor from the premises of any licensed establishment*".

Debate ensued.

The motion failed and the amendment was not adopted.

There being no objection, on motion of Senator Bottiger the amendments to pages 3 and 5 on the Secretary's desk were withdrawn.

Senator Bottiger moved adoption of the following amendment:

On page 6, section 11, line 6 after "employees" strike all of the material down to and including "years" on line 7 and insert "[, between the ages of eighteen and twenty-one years,] *nineteen*".

Debate ensued.

The motion failed and the amendment was not adopted.

There being no objection, on motion of Senator Bottiger the amendments to page 6, section 11, lines 9 and 11 and page 6, new section 13 on the Secretary's desk, were withdrawn.

Senator Bottiger moved adoption of the following amendment:

On page 6, new section 12, line 19 after "are" and before "years" strike "eighteen" and insert "nineteen".

Debate ensued.

The motion by Senator Bottiger failed and the amendment was not adopted on a rising vote.

Senator Jones moved adoption of the following amendment:

On page 6, add a new section following section 12 as follows:

"*NEW SECTION.* Sec. 13. PROVIDED, That notwithstanding any other provisions of this act, any member of the armed forces presenting proper evidence of being eighteen years of age (or older) shall enjoy all the rights and privileges given nineteen year olds under this act."

Renumber new section Sec. 13 as Sec. 14.

Debate ensued.

The motion by Senator Jones failed and the amendment was not adopted on a rising vote.

Senator Stender moved adoption of the following amendment:

On page 6, after the period on line 27, add a new section to read as follows:

"*NEW SECTION.* Sec. 14. It is the intent of the legislature that this act shall be subject to a test period to determine whether the act will result in any increase in alcohol-related crimes by the age group affected. The provisions of this act shall continue in full force and effect until July 1, 1974, at which time the act shall expire unless re-enacted by the legislature."

There being no objection, the amendment by Senator Stender was withdrawn.

Senator Metcalf moved adoption of the following amendment:

On page 6, after the period on line 27, add a new section to read as follows:

"*NEW SECTION.* Sec. 14. It is the intent of the legislature that this act shall be subject to a test period to determine whether the act will result in any increase in alcohol-related crimes by the age group affected. The provisions of this act shall continue in full force and effect until July 1, 1974, at which time the act shall expire unless re-enacted by the legislature."

Debate ensued.

The motion by Senator Metcalf failed and the amendment was not adopted.

Senator Durkan moved adoption of the following amendment:

On page 6, line 22, following section 12, add a new section to read as follows:

"*NEW SECTION.* Sec. 13. Every pending charge for violation of RCW 66.44.270, RCW 66.44.290 and RCW 66.44.310 against an individual who had reached the age of nineteen years at the time of such alleged violation shall be dismissed with prejudice."

Renumber the remaining section.

There being no objection, the amendment by Senator Durkan was withdrawn.

On motion of Senator Whetzel, the rules were suspended, Engrossed House Bill No. 240 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

Senator Metcalf moved that the rules be suspended and the Senate allow full debate on Engrossed House Bill No. 240.

Debate ensued.

## POINT OF INQUIRY

Senator Washington: "Will Senator Stortini yield to a question? I have before me a yellow sheet which has a number of statistics on it and I am unable to fully understand. I wonder if you would explain it to me?"

## POINT OF ORDER

Senator Fleming: "I would like to know on the point of order raised a few minutes ago, would Senator Bailey yield to a question as to the ruling he gave the other day about the three-minute rule and yielding to questions."

Senator Bailey: "Mr. President, I think you ruled wisely. I do not think we intended to cut off the yield when you yield to a question. I do not think that was the point. But I also think that there is a difference in yielding to a question and giving a speech in answer to a question. I think we would have to hear the answer to that question first. If he is going to give another speech then I think he is out of order. The intention was to not be able to use your time and yield—somebody yield their time to the other speaker. I think that was the intention."

President Pro Tempore Henry: "If Senator Washington has one statistic on that chart that he does not understand, he can ask about it."

Senator Washington: "I do believe that when you have a number of statistics before you that we should be able to ask a question. I am asking a simple question for him to explain and I think he can probably do it in thirty seconds if we give him time to do it."

President Pro Tempore Henry: "A simple question calls for a complicated answer. He went through most of the statistics on that sheet when you were not listening."

Senator Washington: "No, I do not believe he did. I would like him to explain the statistics."

President Pro Tempore Henry: "Which statistics? Take your choice. You have one."

Senator Washington: "Well, if the President is going to so severely limit the asking of questions, it is going to do very little good for anyone to ask questions on the floor. If you could explain the last column of statistics on the yellow sheet, Senator Stortini?"

Senator Stortini: "Senator Washington, I have taken the percentage increase in Michigan and I have projected it to the state of Washington. I will just take one statistic out of that because I think this is the most important one. And if you look at that column you will find that last year in the state of Washington there were thirty seven young people, nineteen and twenty years of age, that were killed on our highways and on our streets that had been drinking. I think this is a very important statistic because if you take the sixty-six percent increase that we see in Michigan, it is going to project it to some twenty-four more than that next year. The only other point I want to make in conclusion is the fact that in looking at that statistic we find that in the state of Washington in 1972 there were eighty-eight young people, nineteen and twenty years of age, that died on our highways and freeways. Thirty-seven of them had been drinking. And I leave you with that statistic. That one out of almost two died on our highways and freeways that had been drinking. I urge that you, and I have many other statistics here too, that you vote against this measure."

Senator Metcalf: "I made a motion relative to suspension of the rules and I would like to say now that I think that we should act on my motion to suspend the rules. I think that the move to cut Senator Stender off was on an amendment. This is on a bill. I do not see the necessity for limiting debate on a measure. . . ."

Senator Bailey: "If we are going to allow an explanation and a debate on the reason you want to suspend the rules, then we should have a full debate on that and we have some reasons for not suspending rules."

Senator Day: "Have you satisfied this point of order, Mr. President? I have another one."

President Pro Tempore Henry: "No. I intend to put it to a vote at the moment. It takes two-thirds majority."

Senator Day: "Speaking to this point of order, Mr. President, I believe it has been a custom that we allow a short explanation of the reason why the gentleman want the suspension of the rules but it is not debatable otherwise."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is well taken."

The motion by Senator Metcalf failed to suspend the rules and allow unlimited debate on Engrossed House Bill No. 240.

## POINT OF ORDER

Senator Day: "I rise to a point of order. I believe that when we have the three minute rule invoked that the Chair should keep the three minute time and that we should not interrupt the speaker to request a ruling on whether the three minutes have been utilized, because it interrupts the train of thought of the speaker and I believe it is unfair to him to further encroach upon his three minute allowance."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is well taken."

Further debate ensued.

## POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, I rise to ask Senator Stortini if he will yield to a question but I want you to know why I am asking. I just want to refute possibly some of the things Senator Francis said. I checked with Michigan. I did not get those statistics. Senator Stortini, do you have an answer to that?"

Senator Stortini: "Yes. These statistics I got through correspondence the last two weeks, Senator Peterson, with Representative Tom Anderson of Michigan. He is the assistant majority leader in the House of Representatives and I told him I wanted sound statistics and he assured me in his letter to me just yesterday or the day before that 'Although I supported Michigan's reduction in the legal age, I have since watched with concern as statistics have unrolled and I am not sure now if I would take that same stand.' In fact, he said to me on the phone last Friday he doubted very much if the issue was to come to a vote that Friday that it would pass."

## POINT OF INQUIRY

Senator Fleming: "I would like Senator Francis to yield to a question. I cannot recall, Senator Francis, who did you say you got your statistics from?"

Senator Francis: "Senator Fleming, part of the statistics came from a Department of State Police study called 'Michigan Traffic Accident Facts,' which go into the breathalyzer and breath testing matters. My clerk talked to Sergeant Calcater this morning in Michigan. We also got information from Captain Ambhor, head of the State Patrol Department of Statistics. Again, if you do not think that reduction in the percentage of blood alcohol would have some effect and in the way that the statistics are kept in Michigan would have an effect, then maybe you can go along with that study."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 240, and the bill passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Marsh, Matson, Odgaard, Peterson (Lowell), Ridder, Sandison, Scott, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—31.

Voting nay: Senators Bottiger, Canfield, Dore, Lewis (Bob), Mardesich, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Sellar, Stender, Stortini, Talley, Washington—15.

Absent or not voting: Senator Greive—1.

Excused: Senators Guess, Twigg—2.

ENGROSSED 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.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 497, by Committee on Ways and Means—Appropriations (originally sponsored by Representatives Bagnariol and Shinpoch):

Making a reappropriation of certain funds to the legislative budget committee.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 497 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 497, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Connor, Greive, Stender—3.

Excused: Senators Guess, Twigg—2.

SUBSTITUTE HOUSE BILL NO. 497, having received the 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. 462, by Representatives Berentson, Perry and Jueling:

Defining "clearing corporation".

The bill was read the second time by sections.

On motion of Senator Dore, the following amendment was adopted:

On page 2, section 1, line 8, after "whom" strike all of the material down to and including "and" on line 16 and insert:

*"(i) is subject to supervision or regulation pursuant to the provisions of federal or state banking laws or state insurance laws, or*

*(ii) is a broker or dealer or investment company registered under the Securities Exchange Act of 1934 or the Investment Company Act of 1940, or*

*(iii) is a national securities exchange or association registered under a statute of the United States such as the Securities Exchange Act of 1934; and none of whom, other than a national securities exchange or association, holds in excess of twenty percent of the capital stock of such corporation; and"*

On motion of Senator Dore, the rules were suspended, House Bill No. 462, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 462, as amended by

the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Atwood, Bottiger, Greive—3.

Excused: Senators Guess, Twigg—2.

HOUSE BILL NO. 462, 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.

HOUSE BILL NO. 467, by Representatives Berentson, Perry and Juelling:

Authorizing any fiduciary holding securities to deposit them in a clearing corporation. The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, House Bill No. 467 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 467, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Absent or not voting: Senators Bottiger, Clarke, Fleming, Greive—4.

Excused: Senators Guess, Twigg—2.

HOUSE BILL NO. 467, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 287, by Representatives Charette, Newhouse and Bauer:

Providing for payment of substitutes for certain certificated personnel.

The Senate resumed consideration of House Bill No. 287, and the pending committee amendment to section 1, line 20, moved for adoption by Senator Bottiger on Wednesday, February 28, 1973.

The motion carried and the committee amendment was adopted.

On motion of Senator Bottiger, the rules were suspended, House Bill No. 287, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 287, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 5; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard,



Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—40.

Voting nay: Senators Canfield, Clarke, Jones, Talley, Woodall—5.

Absent or not voting: Senators Connor, Greive—2.

Excused: Senators Guess, Twigg—2.

HOUSE BILL NO. 287, 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.

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

#### REPORT OF STANDING COMMITTEE

February 27, 1973.

HOUSE BILL NO. 364, providing for conditional licensing of department of social and health services employees who are Canadian doctors (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

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

"Sec. 2. Section 2, chapter 189, Laws of 1959 as amended by section 1, chapter 65, Laws of 1963, as amended by section 2, chapter 29, Laws of 1965 as last amended by section 2, chapter 138, Laws of 1967, and RCW 18.71.096 are each amended to read as follows:

The director of motor vehicles shall cause a conditional license or certificate to practice medicine and surgery to be issued subject to the provisions of RCW 18.71.095, which shall remain in effect for a period of two years and which [shall not] *may* be [renewable] *renewed* at the expiration of such conditional license. All conditional licenses issued prior to July 1, 1967, pursuant to the authority of RCW 18.71.095, shall remain in full force and effect subject to the jurisdiction of the medical disciplinary board."

On the last line of the title, after "RCW 18.71.095" and before the period insert "; amending section 2, chapter 189, Laws of 1959 as amended by section 1, chapter 65, Laws of 1963, as amended by section 2, chapter 29, Laws of 1965 as last amended by section 2, chapter 138, Laws of 1967, and RCW 18.71.096".

Signed by: Senators Day, Chairman; Clarke, Connor, Jones, Murray, Twigg, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

Senator Woody moved adoption of the following amendments simultaneously:

On page 1, section 1, line 12, after "request of" and before "the" insert "*a licensed physician or*".

On page 1, section 1, line 15, after "requested by" and before "the" insert "*the licensed physician or*".

On page 1, section 1, line 17, after "employment by" and before "the department" insert "*the licensed physician or*".

On page 2, section 1, line 1, after "conjunction with" and before "patients" insert "*the patients of the licensed physician or the*".

On page 2, section 1, line 15, after "*employee of*" and before "the department" insert "*the licensed physician or*".

#### POINT OF ORDER

Senator Newschwander: "Mr. President, I bring up the matter of scope and object of these amendments in relationship to House Bill No. 364.

Debate ensued.

## MOTION

On motion of Senator Woodall, House Bill No. 364, as amended by the committee amendment, the amendments by Senator Woody and the Point of Order by Senator Newschwander were made a special order of business immediately following the noon recess.

## SECOND READING

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

## MOTION

On motion of Senator Mardesich, House Bill No. 102 was made a special order of business for 2:00 p.m., today.

## SECOND READING

HOUSE BILL NO. 60, by Representatives Johnson, Kuehnle and Haussler (by Legislative Council request):

Authorizing disposal of surplus real property by irrigation districts.

The Senate resumed consideration of House Bill No. 60, as amended on Wednesday, February 28, 1973.

On motion of Senator Fleming, the committee amendment to the title was adopted.

On motion of Senator Fleming, the rules were suspended, House Bill No. 60, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 60, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Guess, Twigg—2.

HOUSE BILL NO. 60, 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 PRESIDENT

The President signed:  
 SENATE BILL NO. 2039,  
 SENATE BILL NO. 2042,  
 SENATE BILL NO. 2163,  
 SENATE BILL NO. 2187,  
 SENATE BILL NO. 2213,

SENATE BILL NO. 2251,  
SENATE BILL NO. 2252,  
SENATE BILL NO. 2400,  
SENATE BILL NO. 2527.

MOTION

At 12:20 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.  
There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

March 1, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2048,  
SENATE BILL NO. 2056,  
SENATE BILL NO. 2080,  
SENATE BILL NO. 2081,  
SENATE BILL NO. 2082,  
SENATE BILL NO. 2282,  
SENATE BILL NO. 2331,  
SENATE BILL NO. 2358,  
SENATE BILL NO. 2588, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 1, 1973.

Mr. President: The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 65,  
HOUSE BILL NO. 86,  
HOUSE BILL NO. 107,  
HOUSE BILL NO. 149,  
HOUSE BILL NO. 155,  
HOUSE BILL NO. 165,  
HOUSE BILL NO. 175,  
HOUSE BILL NO. 185,  
HOUSE BILL NO. 198,  
HOUSE BILL NO. 233,  
HOUSE BILL NO. 235,  
HOUSE BILL NO. 249,  
HOUSE BILL NO. 257,  
HOUSE BILL NO. 268,  
HOUSE BILL NO. 277,  
HOUSE BILL NO. 279,  
HOUSE BILL NO. 293,  
HOUSE BILL NO. 330,  
HOUSE BILL NO. 331,  
HOUSE BILL NO. 367,  
HOUSE BILL NO. 436,  
HOUSE BILL NO. 455,  
HOUSE BILL NO. 551,  
HOUSE BILL NO. 585,  
HOUSE BILL NO. 665,  
HOUSE BILL NO. 694,

HOUSE BILL NO. 758, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SPECIAL ORDER OF BUSINESS

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

The time having arrived, the Senate resumed consideration of House Bill No. 364, as amended, the pending amendments by Senator Woody and the Point of Order by Senator Newschwander.

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The President in ruling upon the point of order rules the amendments by Senator Woody do increase the scope and object of the bill because the bill is limited to institutions, and even though privately I have a great deal of sympathy, coming from small communities which need doctors, with what you are trying to do, it does by far enlarge the scope and object of the bill."

The motion by Senator Woody failed and the amendments were ruled out of order.

Senator Mardesich moved adoption of the following amendment:

On page 1, section 1, line 20, after "thereof" and before the semicolon, insert the following:

"or other countries having similar training and/or licensing programs"

#### POINT OF ORDER

Senator Mardesich: "I would like to raise the question of scope and object, Mr. President."

President Pro Tempore Henry: "You think the rest of the world is much larger than Canada?"

Senator Mardesich: "We had better start getting down to defining our rules a little more definitely because before long we will not be able to offer any amendments from the floor and I think this one is slightly different than the other one and may put the question in proper perspective."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The President in ruling upon the question of scope and object of Senator Mardesich's amendment finds that the amendment does relate to the same general subject matter of trained physicians for institutions and therefore is within the scope and object of the bill."

Debate ensued.

#### MOTION

On motion of Senator Greive, House Bill No. 364, as amended, and the pending amendment by Senator Mardesich, were ordered held following consideration of House Bill No. 652.

#### SPECIAL ORDER OF BUSINESS

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

The time having arrived, the Senate commenced consideration of House Bill No. 102. The bill was read the second time by sections.

Senator Marsh moved adoption of the following amendment by Senators Marsh and Gardner:

On page 2, section 2, line 1 after "property" and beginning with the period strike the remainder of the bill and insert the following: "without offsetting the amount of any special benefits accruing to a remainder of the property.

The selection of the option set forth in subsections (3) or (4) of this section is subject to the consent by the property owner to the creation and recording of a lien against the remainder in the amount of the fair market value of any property taken plus the amount of damages caused by such acquisition to the remainder of the property without offsetting the amount of any special benefits accruing to a remainder of the property, plus interest as it accrues.

*NEW SECTION.* Sec. 3. A lien established as provided in section 2 of this 1973 act shall be satisfied or released by:

(1) Agreement between the parties to that effect; or

(2) Payment of the lien amount plus interest at the rate of five percent per annum; or

(3) Payment of the amount of offsetting special benefits as established pursuant to section 2(3) of this 1973 act plus interest at the rate of five percent per annum within four years of the date of acquisition; or

(4) Satisfaction of a judgment lien entered as a result of a trial before a jury unless jury be waived to establish the change in value of the remainder of the original parcel because of the construction of the project involved: PROVIDED, That if the result of the trial is to find no special benefits then the lien is extinguished by operation of law. Trial may be had on the petition of any party to the superior court of the county wherein the subject remainder lies after notice of intent to try the matter of special benefits has been served on all persons having an interest in the subject remainder. Such notice shall be filed with the clerk of the superior court and personally served upon all persons having an interest in the subject remainder. Filing a notice of intent to try the matter of special benefits shall be accompanied by a fee in the amount paid when filing a petition in condemnation.

(5) Upon expiration of six years time from the date of acquisition without commencement of proceedings to foreclose the lien or try the matter of special benefits to the remainder of the property, the lien shall terminate by operation of law.

*NEW SECTION.* Sec. 4. A judgment entered as a result of a trial on the matter of special benefits shall not exceed the previously established sum of (1) the fair market value of any property taken; (2) the amount of damages if any to a remainder of the property, without offsetting against either of them the amount of any special benefits accruing to a remainder of the property; (3) the interest at five percent per annum accrued thereon to the date of entry of the judgment.

*NEW SECTION.* Sec. 5. Attorney fees and expert witness fees of the condemnee may be allowed by the attorney general or other attorney representing a condemnor to the extent provided in RCW 8.25.070 and shall be awarded by the court as authorized by this section to the extent provided in RCW 8.25.070 for trial and trial preparation: (1) in the event a trial is held as authorized by section 2 of this 1973 act except the judgment awarded to the condemnor must exceed by ten percent or more the highest written offer in settlement of the issue to be determined by trial submitted by the condemnor to those condemnees appearing in the action at least thirty days prior to commencement of the trial; (2) in the event of a trial on the matter of special benefits as authorized by section 3(4) of this 1973 act except the judgment awarded to the condemnor must be no more than ninety percent of the lowest written offer in settlement submitted by the condemnor to the condemnees appearing in the action at least thirty days prior to commencement of the trial on the matter of special benefits.

*NEW SECTION.* Sec. 6. Liens created and recorded as set forth in section 2 of this 1973 act are preferred to any lien, mortgage or other encumbrance which may attach subsequently to the time of creation and recording of the lien and are also preferred to any lien, mortgage or other encumbrance which may have attached previously to that time, and which was not filed or recorded so as to create constructive notice of the same prior to that time.

*NEW SECTION.* Sec. 7. A condemnor may foreclose the lien authorized by section 2 of this 1973 act by bringing an action and applying for summary judgment pursuant to civil rule 56 and may execute first upon the remainder property but such proceedings shall not be commenced before five years time has passed from the date of acquisition by the condemnor. A property owner may stay proceedings to enforce the lien authorized by section 2 of the 1973 act by commencement of an action to try the matter of special benefits.

*NEW SECTION.* Sec. 8. Sections 1 through 7 of this 1973 act shall be added to chapter 8.25 RCW.

*NEW SECTION.* Sec. 9. This 1973 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Marsh yield to a question? Senator Marsh, does this amendment provide that if I own a piece of property and the highway department decides that they want to run their highway through this locality that they may put a lien on my property?"

Senator Marsh: "They would have a right to place a lien on your property if it was a situation involving special benefits and you elected not to have the special benefits offset against the take by the highway department. That would be a situation where you would be proceeding under options three or four under section 2 in which case, if you proceeded under those options, a lien would be placed on your remainder portion of the property not taken by the highway department for the value of the property taken."

Senator Rasmussen: "Senator, would this mean that I may not have desired a highway any place near my property but they decided to run it and then after they decided they would take so much of the property they did not want to pay the fair price? They would say that I achieved a higher benefit from their putting the highway there and that might be quite a dispute. And then they would put a lien on the remainder of my property for the value that they have set as the benefits I have received. Is this correct?"

Senator Marsh: "Well, in any event you would have to be paid 'just compensation.' Now 'just compensation' under the court's decision in these types of cases has been interpreted to mean the value of the property taken less any special benefits to the remainder of the property not taken. Now if you agreed to accept that as 'just compensation', that would be an election under subsections one or two of section 2, then there would be no lien. However, if you refused to accept an offset for the special benefits to the remainder of your property, yes, there would be a lien to the remainder of your property. And that lien would stay on until it was extinguished as provided under one of the five subsections of section 3."

Senator Rasmussen: "And I would have to go to court and spend thousands of dollars to get that lien off of my property?"

Senator Marsh: "There are several options."

#### POINT OF INQUIRY

Senator Mardesich: "Would it not be more fair to eliminate the special benefits application principle of that application? Take not the case of a farm but the example of a corner that the road comes by and they take a small piece of that property and they dump traffic out so all of a sudden they say your property has special increased value. They have done nothing to the adjoining piece, which may be much larger in fact and suitably located for a gas station site. That person has received equal special benefits but gets no deduction. So are you not to really achieve equity better off to eliminate the application of this principle rather than to try to monkey with the application of it in this manner?"

Senator Gardner: "The problem with that, Senator Mardesich, is that there is no way that you can provide any compensation for the adjoining land owner who is not affected by

this. That is just a separate and distinct issue. The benefit, if I were an attorney I think I would advise my client to take one of the first two options. Because what is going to happen in this instance is if you take the benefit and set that aside for a future date, then you have the problem that the jury, if you go to court at that time, is simply going to argue the benefit argument, whereas if you get them arguing the benefit plus damages argument, juries have a tendency to weigh the two against one another."

Senator Mardesich: "My point is, though, why not eliminate special benefits as a consideration? Then you have done nothing to this man and you have put him in the same position as the adjoining property owner. What you are doing is merely perpetuating the inequity that exists between the two adjoining property owners by acts of this sort."

The motion by Senator Marsh carried and the amendment was adopted.

#### MOTION

On motion of Senator Francis, House Bill No. 102, as amended by the Senate, was re-referred to the Judiciary Committee with instructions to report back to the Senate within ten days.

#### SECOND READING

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:

Providing for representation of breeders of quarterhorses on the racing commission.

The bill was read the second time by sections.

On motion of Senator Canfield, the rules were suspended and the following amendment by Senators Jolly and Canfield was adopted before consideration of the committee amendment:

On page 1, section 1, line 11, after "breeder of" strike all the material down to and including "bred" on line 12 and insert "[thoroughbred and/or standard bred] "race".

#### REPORT OF STANDING COMMITTEE

February 27, 1973.

HOUSE BILL NO. 590, providing for representation of breeders of quarterhorses on the racing commission (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 10, after "Washington" strike the remainder of the sentence down to the period on line 12 and insert "[, and one of whom shall be a breeder of thoroughbred and/or standard bred horses and he shall be of at least one year's standing]".

Signed by: Senators Jolly, Chairman; Matson, Sellar, Twigg, Washington.

On motion of Senator Jolly, the committee amendment was not adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 1, section 1, line 23, after "term" and before the period insert "*PROVIDED, HOWEVER, That in the event that an appointment has not been made to fill a vacancy as required by RCW 43.06.030 the member whose term has been vacated or expired shall not be permitted to serve on the commission*".

On motion of Senator Jolly, the rules were suspended, House Bill No. 590, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Bailey: "Mr. President, I was going to ask Senator Woodall a question but I will ask Senator Jolly if he will answer it. Senator Jolly, is there anything in the current law or in this bill that would restrict the members of the Horse Racing Commission to people not interested in the track, in any particular race track?"

Senator Jolly: "Senator Bailey, none that I know of."

Senator Bailey: "Another question, Senator Jolly. Is there anything in this bill or in the previous bill that would restrict the membership of the Horse Racing Commission to people that do not have an interest in a particular race? I am talking about people that may have entries in horse races and that these people may have the hiring and firing of personnel that govern the races. I was just wondering if this commission could by any chance be loaded with people that could possibly be very interested or have a conflict of interest in horse racing or in a particular horse race?"

Senator Jolly: "Well, I am not an attorney, Senator Bailey, and I am not too well acquainted with the rest of them but according to what I can see in this, there is nothing to hinder anybody from doing this very thing."

Senator Bailey: "Mr. President, I move this bill be held over until the special session."

"Mr. President, it strikes me that we are getting to big business now. We have more than one race track. We have several race tracks. We have a gigantic lottery, you might say, or gambling by law, and it just seems to me we should be sure on the Horse Racing Commission that the people on that commission should have nothing to do with hiring the officials in a race or in any race on these tracks if they have an interest in a particular track or if they have an interest in a particular race. I think this is a direct conflict of interest if this is not provided for in here. They talk about us having a vague interest in letting of a bid or something like that, even school directors having an interest in a bid. It seems to me like this is a direct conflict of interest if we allow anyone to be a Horse Racing Commissioner and have any interest either in the track itself or in any one of the races therein, and I think it deserves a little bit of looking into. If we are so particularly perturbed about lotteries and how they are run, about little bingos and how they are run, I think we ought to look at this one very closely."

#### MOTION

Senator Bailey moved that House Bill No. 590, as amended by the Senate, be re-referred to the Committee on Rules.

Senator Canfield: "Mr. President, could I ask Senator Bailey a question? Would you with your vast influence see that it gets back to the point in the special session?"

Senator Bailey: "Yes."

The motion by Senator Bailey carried on a rising vote. House Bill No. 590, as amended by the Senate, was re-referred to the Committee on Rules.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 567, by Representatives Ehlers, Kilbury, Gaspard, Bagnariol, Smith, Beck, Randall, Erickson, Bauer, Kelley, Barden, Ellis, Gaines and Laughlin:

Prohibiting double taxation of mobile homes and repealing laws requiring mobile home identification tags.

#### REPORT OF STANDING COMMITTEE

February 28, 1973.

ENGROSSED HOUSE BILL NO. 567, prohibiting double taxation of mobile homes and repealing laws requiring mobile home identification tags (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, add a new section after section 6 as follows:

"*NEW SECTION.* Sec. 7. If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title after "creating" and before "new" strike "a".

In line 1 of the title after "section" and before the semicolon add "s".



Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendment was adopted.

On motion of Senator Washington, the following amendment by Senators Washington and Henry was adopted:

On page 3, line 30 of the engrossed bill, being page 3, line 25 of the printed bill, add two new sections to read as follows:

"Sec. 6. Section 20, chapter 231, Laws of 1971, 1st ex. sess. and RCW 46.16.104 are each amended to read as follows:

The director of highways shall require every person except a dealer using dealer license plates or a transporter using transporter license number plates moving a mobile home on the public roads and highways of this state to obtain a mobile home movement permit as provided in RCW 46.16.105 and pay the fee therefor. The director of highways shall issue a copy of such permit to the assessor of the county where such mobile home was located and to the assessor of the county where such mobile home will be located: PROVIDED, That when a mobile home is to enter this state, a copy of such permit shall only be sent to the assessor of the county where such mobile home will be located and when a mobile home is to leave this state, a copy of such permit shall only be sent to the assessor of the county where such mobile home was located.

*Nothing herein should be construed as prohibiting the issuance of vehicle license plates for a mobile home but no such plates shall be issued unless the mobile home for which such plates are sought has been listed for property tax purposes in the county in which it is principally located and the appropriate fee for such license has been paid.*

Sec. 7. Section 22, chapter 231, Laws of 1971, 1st ex. sess. and RCW 46.16.106 are each amended to read as follows:

Any person who shall move a mobile home on the public roads and highways of this state when such mobilehome does not have a mobile home movement permit obtained as required by RCW 46.16.105 or vehicle license plate shall be guilty of a misdemeanor: PROVIDED, That such person shall be relieved of such criminal liability if such mobile home displays dealer license plates or transporter license number plates and if within ten days of moving a mobile home, the person notifies the director of the department of highways of the origin and destination of the mobile home."

Remember the remaining sections.

On motion of Senator Donohue, the committee amendments to the title were adopted.

On motion of Senator Washington, the following amendment to the title by Senators Washington and Henry was adopted:

On line 7 of the title following "RCW 82.50.902;" and before "repealing" insert "amending section 20, chapter 231, Laws of 1971, 1st ex. sess. and RCW 46.16.104; amending section 22, chapter 231, Laws of 1971, 1st ex. sess. and RCW 46.16.106;"

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 567, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 567, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-43.

Voting nay: Senators Atwood, Scott, Whetzel—3.

Absent or not voting: Senators Donohue, Fleming—2.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 567, 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 PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 65,

HOUSE BILL NO. 86,

HOUSE BILL NO. 107,

HOUSE BILL NO. 149,

HOUSE BILL NO. 155,

HOUSE BILL NO. 165,

HOUSE BILL NO. 175,

HOUSE BILL NO. 185,

HOUSE BILL NO. 198,

HOUSE BILL NO. 233,

HOUSE BILL NO. 235,

HOUSE BILL NO. 249,

HOUSE BILL NO. 257,

HOUSE BILL NO. 268,

HOUSE BILL NO. 277,

HOUSE BILL NO. 279,

HOUSE BILL NO. 293,

HOUSE BILL NO. 330,

HOUSE BILL NO. 331,

HOUSE BILL NO. 367,

HOUSE BILL NO. 436,

HOUSE BILL NO. 455,

HOUSE BILL NO. 551,

HOUSE BILL NO. 585,

HOUSE BILL NO. 665,

HOUSE BILL NO. 694,

HOUSE BILL NO. 758.

#### SECOND READING

HOUSE BILL NO. 652, by Representatives Luders, Bagnariol and Pardini:  
Regulating insurance company investment.

The bill was read the second time by sections.

On motion of Senator Gardner, the following amendment was adopted:

On page 2, section 1, line 3, after "*pursuant to*" strike all the material down to the period on line 5 and insert "*rules and cumulative limitations which shall be promulgated by the commissioner to effectuate the purposes of this chapter*".

On motion of Senator Gardner, the rules were suspended, House Bill No. 652 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Stender: "Would Senator Dore yield to a question? Senator, I assume that this amendment is to enhance the opportunity of investments of an insurance company.

Enhance the possibilities of making wise and productive investments by the insurance company?"

Senator Dore: "As I understand it, it affects primarily only one company in the state. Other companies like Safeco and Pemco, they have gotten around this provision by their various holding entities and this will just make this company competitive with them and competitive with other large companies nationally."

Senator Stender: "One further question, do the earnings off investments used in considering the rates that these insurance companies . . . ?"

Senator Dore: "As I understand it now, Unigard is the company involved, is that they are allowed to own like six hundred thousand dollars worth of automobiles but under our laws they are not allowed to list that as an asset in their balance sheets, which puts them at a competitive disadvantage. The other companies can, but Unigard cannot. And this is the purpose of this enabling legislation to let them do that, too."

Senator Stender: "I do not think that is the question. Maybe I did not make it clear. They use the accrued earnings from these investments when they are requesting rate adjustments and approval of rates to the commission. Do they use these earnings from investment in addition to the premium paid in these insurance policies?"

Senator Dore: "In answer to your question, that is not involved in this bill and the answer to your question is no, they do not. It has been, of course, a source of contention for a long time that in determining a fair rate of return they should include the income from their investments. That has nothing to do with this bill. This is merely permitting them to purchase income property which they are prohibited from doing. One company, a land-based company here, is prevented from doing now."

Senator Stender: "Well, then why do we want to meddle with the private affairs of investment of a private company? Why do we want to meddle with that by law?"

Senator Dore: "We are trying to make it uniform with the other companies and so this company can also be competitive with other national companies. We are blessed in this state. I think we have four of the largest companies in America with their home bases here. So we are more or less the leaders in the insurance field and, of course, the statute is unadvised and I was not present when they invoked it."

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 652, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel—42.

Voting nay: Senators Fleming, Rasmussen, Ridder, Woody—4.

Absent or not voting: Senators Durkan, Woodall—2.

Excused: Senator Guess—1.

HOUSE BILL NO. 652, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

The Senate resumed consideration of House Bill No. 364, as amended, and the pending amendment by Senator Mardesich to page 1, section 1, line 20 moved for adoption earlier today.

There being no objection, the amendment by Senator Mardesich was withdrawn.

Senator Greive moved adoption of the following amendment:

On page 1, section 1, line 20, after the semicolon, strike "and" and insert "[and] or".

Debate ensued.

#### MOTION

On motion of Senator Whetzel, House Bill No. 364, as amended, together with the pending amendment by Senator Greive, was ordered held for consideration following House Bill No. 71.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 594, by Representatives Smith, Kraabel and Goltz: Providing for water pollution control in the state of Washington.

#### REPORT OF STANDING COMMITTEE

February 22, 1973.

ENGROSSED HOUSE BILL NO. 594, providing for water pollution control in the state of Washington (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 6, line 32, after "in" and before "this" insert "sections 1 through 7 of".

On page 6, following section 7 add two sections to read as follows:

"Sec. 8. Section 20, chapter 216, Laws of 1945 and RCW 90.48.140 are each amended to read as follows:

Any person found guilty of wilfully violating any of the provisions of this chapter, or any final written orders or directive of the [commission] *department* or a court in pursuance thereof shall be deemed guilty of a [gross misdemeanor] *crime*, and upon conviction thereof shall be punished by a fine of [not more than one hundred dollars] *up to ten thousand dollars* and costs of prosecution, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment in the discretion of the court. Each day upon which a wilful violation of the provisions of this chapter occurs may be deemed a separate and additional violation.

Sec. 9. Section 14, chapter 139, Laws of 1967, ex. sess., as amended by section 13, chapter 88, Laws of 1970, 1st ex. sess., and RCW 90.48.144 are each amended to read as follows:

Every person who:

(1) Violates the terms or conditions of a waste discharge permit issued pursuant to RCW 90.48.180 *or this amendatory act*, or

(2) Conducts a commercial or industrial operation *or other point source discharge operation* without a waste discharge permit as required by RCW 90.48.160 *or this amendatory act*, or

(3) Violates the provisions of RCW 90.48.080, shall incur, in addition to any other penalty as provided by law, a penalty in [the] *an* amount of [one hundred dollars] *up to five thousand dollars* a day for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall [become due and payable when the person incurring the same receives] *be imposed by* a notice in writing, *either by certified mail with return receipt requested or by personal service, to the person incurring the same* from the director of the [commission] *department or his authorized delegate* describing such violation with

reasonable particularity [and advising such person that the penalty is due]. The director or his authorized delegate may, upon written application therefor [,] received within fifteen days [,] after notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided for in this section [or discontinue any prosecution to recover the same] upon such terms as he in his discretion shall deem proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. *Any person incurring any penalty hereunder may appeal the same to the hearings board as provided for in chapter 43.21B RCW. Such appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department. When an application for remission or mitigation is made, such appeals shall be filed within thirty days of receipt of notice from the director or his authorized delegate setting forth the disposition of the application. Any penalty imposed hereunder shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When an application for remission or mitigation is made, any penalty incurred hereunder shall become due and payable thirty days after receipt of notice setting forth the disposition of the application unless an appeal is filed from such disposition. Whenever an appeal of any penalty incurred hereunder is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming the penalty in whole or in part.* If the amount of [such] any penalty is not paid to the [commission] department within [fifteen] thirty days after [receipt of notice imposing the same or application for remission or mitigation has not been made within fifteen days after the violator has received notice of the disposition of such application] it becomes due and payable, the attorney general, upon request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any [other] county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund."

Renumber the remaining sections accordingly.

On page 1, line 7 of the title, after "90.48.260;" and before "adding" insert "amending section 20, chapter 216, Laws of 1945 and RCW 90.48.140; amending section 14, chapter 139, Laws of 1967, ex. sess., as amended by section 13, chapter 88, Laws of 1970, 1st ex. sess., and RCW 90.48.144;".

On page 1, line 8 of the title, after "RCW;" and before "repealing" strike "and".

On page 1, line 9 of the title, after "RCW 90.48.070" and before "and" insert ";; prescribing civil and criminal penalties;".

Signed by: Senators Washington, Chairman; Murray, Stortini, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment to page 5 was adopted. Senator Washington moved adoption of the committee amendment to page 6.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Washington yield? Senator Washington, I presume you are the spokesman for this bill and I certainly do not have any objection but I have one question which I would like to direct to you. On page 5 of the engrossed bill, new section five, beginning along about line 20, we have a law on the books now which establishes, as you know, a Thermal Site Evaluation Council. That was created partly as a result of the work of the Nuclear Committee of which Senator Jolly and I are members and I believe that Senator Matson has also served on this committee. Now this Thermal Site Evaluation Council is supposed to be composed of a number of concerned state agencies including, Senator Washington, the Department of Ecology. When these all pool their testimony on a hearing and they make their recommendation, the recommendation is supposed to be binding upon the entire group. And the report of the committee is then submitted to the Governor for his evaluation and final decision, which is right and proper. However, in

section 5 it now sets up the Department of Ecology as a separate evaluation agency and says in here that it shall work with the Thermal Site Evaluation Council and shall cooperate insofar as possible, or words to that effect. In other words, we are dividing now the authority and getting away from the one stop concept. Have you cleared that with the people concerned?"

Senator Washington: "As I understand, you do not have a one stop concept. However, under the federal act it would merely mean that before the thermal plant siting recommendation could take effect it would have to comply with the federal water pollution control and all."

#### MOTION

On motion of Senator Washington, Engrossed House Bill No. 594, as amended, and the pending committee amendments were ordered held following consideration of House Bill No. 364.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 71, by Representatives Conner and Gilleland:  
Changing powers and responsibilities of the director of motor vehicles.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Engrossed House Bill No. 71 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 71, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

The Senate resumed consideration of House Bill No. 364, as amended, and the pending amendment by Senator Mardesich to page 1, section 1, line 20 moved for adoption earlier today.

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Greive, the committee amendment to the title was adopted.

On motion of Senator Greive, the rules were suspended, House Bill No. 364, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 364, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senators Newschwander, Rasmussen—2.

Excused: Senator Guess—1.

HOUSE BILL NO. 364, 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.

HOUSE BILL NO. 183, by Representatives Kraabel, Eng, Brown and Bauer:

Authorizing school districts to pay travel expenses of certain prospective employees.

The bill was read the second time by sections.

Senator Gardner moved adoption of the following amendment by Senators Gardner, Donohue and Odegaard:

On page 1, following section 1, add a new section as follows:

“*NEW SECTION.* Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Each member of the board of directors of every school district may receive compensation for his services as a director in an amount not to exceed twenty-five dollars per month with the approval of the board by resolution of a majority of the members.”

## POINT OF ORDER

Senator Whetzel: “Is this amendment beyond the scope and object of the bill?”

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “In answer to the point of order, I find that it is an action by the director, by the directors of a school district, whether or not they decide to pay the expenses of a prospective employee or whether or not they decide to increase their own salaries. Therefore, it is well within the scope and object of the bill.”

The motion by Senator Gardner carried and the amendment was adopted on a rising vote.

On motion of Senator Gardner, the following amendment to the title by Senators Gardner, Donohue and Odegaard was adopted:

On page 1, section 1, line 1 of the title, strike “a new section” and insert “new sections”.

## MOTION

On motion of Senator Rasmussen, House Bill No. 183, as amended by the Senate, was referred to the Committee on Ways and Means.

## SECOND READING

ENGROSSED HOUSE BILL NO. 359, by Representatives Luders, Flanagan, Maxie, Lysen, Brown and Bauer (by Secretary of State and Joint Committee on Education request):

Authorizing community education pilot programs and appropriating funds therefor.

#### REPORT OF STANDING COMMITTEE

February 26, 1973.

ENGROSSED HOUSE BILL NO. 359, authorizing community education pilot programs and appropriating funds therefor (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 12, after "supplies" and before "materials" strike "or" and insert a comma.

In section 1, line 12, after "materials," and before "for" insert "or instructor costs,".

In section 1, line 18, after "schools," and before "community" strike "civic groups and".

In section 1, line 19, after "districts" and before "which" insert ", and other civic and governmental organizations".

In section 1, line 23, after "to" strike the remainder of the section and insert "begin new community education programs or expand existing community education programs."

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Gardner, the first four committee amendments were adopted simultaneously.

On motion of Senator Gardner, the committee amendment to section 1, line 23 was adopted.

On motion of Senator Gardner, the rules were suspended, Engrossed House Bill No. 359, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 359, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—35.

Voting nay: Senators Atwood, Clarke, Jones, Lewis (Harry), Newschwander, Rasmussen, Sellar, Twigg, Whetzel—9.

Absent or not voting: Senators Grant, Matson, Metcalf, Woodall—4.

Excused: Senator Guess—1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 594, by Representatives Smith, Kraabel and Goltz: Providing for water pollution control in the state of Washington.

The Senate resumed consideration of Engrossed House Bill No. 594. The committee amendment to page 5 was adopted and the committee amendment to page 6 was moved for adoption by Senator Washington earlier today.

#### POINT OF INQUIRY

Senator Durkan: "Would Senator Washington yield? Senator, is it your understanding as well as ours that the administration of this act will be within the funds already provided to the department?"



Senator Washington: "Yes, that is the understanding and that they presented their budget on that basis."

#### POINT OF INQUIRY

Senator Mardesich: "I wonder if Senator Washington would yield further? Anywhere in this act does it define where a point source discharge is? I think I know what it means in my mind but is there anything in the law that defines it?"

Senator Washington: "Frankly, they have all had some difficulty in very precisely making a definition. However, apparently wherever the refuse or the effluent comes out at a point, whether it comes out of a pipe or whether it is gathered in a canyon and comes out at one point, that would be a point discharge. This is a problem that we have discussed in committee. The Department of Natural Resources has raised the same question you did. We had considerable discussion and they finally withdrew their objection and decided generally what I have stated is the best that could be arrived at."

The motion by Senator Washington carried and the committee amendment to page 6 was adopted.

On motion of Senator Washington, the committee amendments to the title were adopted.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 594, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Washington yield to a question? Senator Washington, can you assure us now if we vote for this bill that we will be voting for the federal regulations as they will exist ten days from now?"

Senator Washington: "No. It specifically provides the federal regulations as they now exist."

Senator Rasmussen: "Or may hereafter be changed?"

Senator Washington: "No. We would have to amend this act to take care of future regulations."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 594, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—41.

Voting nay: Senators Donohue, Lewis (Harry), Odegaard, Rasmussen—4.

Absent or not voting: Senators Fleming, Grant, Woodall—3.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 594, 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.

ENGROSSED HOUSE BILL NO. 171, by Representatives Martinis, Zimmerman, Jastad, Schumaker, Luders, Adams, Charette, Hansey, Thompson and Ceccarelli (by Interim Committee on Fisheries, Game and Game Fish request):

Enhancing the propagation of wildlife.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed House Bill No. 171 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Newschwander: "Will Senator Peterson yield to a question? When I heard this bill up in the Ways and Means Committee I think they made a guess, it was a very wild guess, that only forty or fifty thousand dollars was going into this wildlife program a year. Now do you have any assurance that this money will just be replaced or are they going to use more of this money or is this just kind of a rip off for the whole Game Department? My understanding that you will still get about the forty or fifty thousand dollars a year and that great excess will then go into the Game Department that had been financed by the hunting licenses or the hunters in previous years."

Senator Peterson (Lowell): "Senator, your question is a little ambiguous. I am not too sure I follow you. The forty or fifty thousand dollars that they are spending now, if they are spending such, and as a matter of fact it is more than that but the moneys that they are now presently spending are coming out of present license generated funds which are statutorily for the protection of game animals as we have set down in the statute."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 171, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Scott, Wanamaker—2.

Absent or not voting: Senator Grant—1.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Peterson (Ted): "I just wanted to tell the Senators that they had better get in line for these licenses because you have got a thousand members of the Washington State Sports Council that will bring in say around three hundred thousand. I already have my SEN TED license picked out so figure out what you are going to have and get in there because the sportsmen all through the state are really going to get out and do a job on this thing and sell these licenses."

#### SECOND READING

ENGROSSED HOUSE BILL NO. 404, by Representatives Shinpoch, Pardini, Sommers, Erickson, Kraabel and Maxie (by Washington State Women's Council request):

Implementing laws against discrimination.

The bill was read the second time by sections.

On motion of Senator Metcalf, the rules were suspended, Engrossed House Bill No. 404 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## MOTION

On motion of Senator Durkan, Senator Grant was excused.

## POINT OF INQUIRY

Senator Canfield: "Will Senator Francis yield? Senator Francis, on page 7, reference has been made to sex and marital status and I think there is no question there, but what has age got to do with it? Why does this bill say you cannot discriminate on account of age? You mean you have to give credit to five year olds or something like that?"

Senator Francis: "I had a little problem with that and raised some questions in caucus myself, Senator, especially in view of the fact that most of the bill addresses itself only to the things that Senator Bottiger referred to. However, the first sections which refer to age are consistent with what we already have in our state law which some people still refer to as the Law Against Discrimination but which is now denominated the state Human Rights Law and that does forbid discrimination on the basis of age. It does not change the age of majority, but basically it forbids discriminating against people on the basis that they are too old, as some companies have tried to get away with not hiring somebody if he is over forty or over forty-five and of course the state Human Rights Law forbids that and people have brought actions under it. These sections are consistent with that and I think are in effect technical, bringing those in line with the others. I think that is the only reason they threw it in and it certainly is not a basic part of this statute. It does not affect too young because it does not change the age of majority."

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Bottiger yield to a question? Senator Bottiger, on page 6, line 15 it says unfair practices but then it goes on to say to deny credit to any person. Is that directly related to the section above or is it a flat statement?"

Senator Bottiger: "Senator Rasmussen, if you will read it, section 1 says it is an unfair practice and then following down, 'race, creed, color, national origin, sex or marital status (a) to deny credit to any person,' so subsection (a) refers to the total section 1."

Senator Rasmussen: "Okay, thank you."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 404, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Clarke—1.

Excused: Senators Grant, Guess—2.

ENGROSSED HOUSE BILL NO. 404, having received the constitutional 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. 332, by Representatives Amen, Haussler, Laughlin, Bauer, Curtis, Schumaker and Tilly:

Exempting minors employed by a parent from extrahazardous employment classification.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Engrossed House Bill No. 332

was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 332, and the bill passed the Senate by the following vote: Yeas, 40; nays, 5; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Francis, Gardner, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Voting nay: Senators Bailey, Bottiger, Day, Durkan, Stender—5.

Absent or not voting: Senators Greive, Twigg—2.

Excused: Senators Grant, Guess—2.

ENGROSSED HOUSE BILL NO. 332, having received the 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 Senator Woodall, all bills passed at this point today were ordered immediately transmitted to the House.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 137, by Representatives O'Brien, Moon, Wojahn and Van Dyk (by Legislative Council request):

Requiring and regulating the use of safety glass and similar materials.

#### REPORT OF STANDING COMMITTEE

February 27, 1973.

ENGROSSED HOUSE BILL NO. 137, requiring and regulating the use of safety glass and similar materials (reported by Committee on Commerce):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 10 of the engrossed bill, being page 3, line 11 of the printed bill, after "transparent" and before the period insert "*PROVIDED, HOWEVER, That the replacement of opaque, non-transparent panels in buildings which are completed prior to the effective date of this amendatory act shall not be subject to the provisions of the act*".

On page 4, section 2, line 22 of the engrossed bill, being page 4, line 23 of the printed bill, after "door" and before the period insert "*but shall not include any glass panel more than 18 inches above the finished floor walking surface*".

Signed by: Senators Greive, Chairman; Lewis (Bob), Wanamaker, Whetzel.

The bill was read the second time by sections.

On motion of Senator Whetzel, the committee amendments were adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 4, section 2, line 20 of the engrossed bill, being line 21 of the printed bill, after "doors," strike "*forty-eight inches or less*" and insert "*between eighteen and forty-eight inches*".

Senator Woodall moved adoption of the following amendment:

On page 6, section 10, beginning on line 19 of the engrossed bill, being line 23 of the printed bill, strike all of section 10 and insert the following:

"*NEW SECTION.* Sec. 10. It is the intent of the legislature that the application of this act shall be prospective only. The provisions of this 1973 amendatory act shall not take effect until January 1, 1974, and shall not apply to contracts awarded on or before the effective date of this act: PROVIDED, That except for replacement or new installations of materials this 1973 amendatory act shall not apply to buildings or construction completed prior to the effective date of this act."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Woodall yield to a question? Senator Woodall, your amendment proposes it will not take effect until January 1, 1974."

Senator Woodall: "That provision was in the bill in that area already so that is not new."

The motion by Senator Woodall carried and the amendment was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 137, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 137, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senators Clarke, Jones—2.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 137, 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.

#### PARLIAMENTARY INQUIRY

Senator Fleming: "Mr. President, I would like to find out whether Engrossed House Bill No. 332 is still physically in the possession of the Senate?"

President Pro Tempore Henry: "No. Transmitted to the House on motion by Senator Woodall."

#### POINT OF ORDER

Senator Durkan: "Mr. President, my point of order is, as I recall there is a ruling on this, if the bill is still in the possession in the chambers of the Senate that the motions are still in order."

Senator Woodall: "The rule is that the motion constructively passes the measure over. From that point on it is a pure clerical transmission factor. It has left the body for all official purposes."

#### MOTION FOR RECONSIDERATION

Senator Mardesich: "Having voted on the prevailing side, I now move to reconsider the motion to transmit immediately."

Senator Greive: "I think if you will look under Rule 31, the motion to reconsider only applies to resolutions or bills."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is well taken."

Senator Durkan: "Further then, Mr. President, on the point of order, I recall the Chair ruling that we had the right to reconsider on a bill during the day in which the bill passed. And the method on moving it, immediately transmitting it, did not prevent a member from rising and asking for a reconsideration. Because, Mr. President, I was the one who moved, in which Senator Woodall is doing now, I moved that the bill be immediately transferred and a point of order was raised on me on a question of reconsideration and the Chair ruled that they had the right to reconsider during that day on the bill."

## MOTION FOR RECONSIDERATION

Senator Fleming moved that the Senate immediately reconsider the vote by which Engrossed House Bill No. 332 passed the Senate.

## POINT OF ORDER

Senator Francis: "Mr. President, were there any amendments on that bill? I would raise the point of order that Senator Woodall's motion only applied to all of those bills that had been amended and would therefore go to the House in due course, and bills that were not amended, since they go straight to the Governor, would not have been covered by his motion in any event."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point of order is not well taken. I do not recall which Chairman or which President made the ruling before. It certainly was not me. To all intents and purposes, the bills are in the possession of the House of Representatives."

The motion for reconsideration by Senator Fleming was ruled out of order.

## SECOND READING

ENGROSSED HOUSE BILL NO. 134, by Representatives Moon, Zimmerman, Smith and Gaines (by Legislative Council request):

Authorizing department of natural resources to remove wood debris from navigable waters.

The bill was read the second time by sections.

Senator Clarke moved adoption of the following amendment:

On page 1, section 3, line 17 of both the engrossed and printed bills, after "debris" and before the period insert ": PROVIDED, That nothing herein provided shall permit removal of wood debris from private property without written consent of the owner".

## POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Clarke yield? Senator Clarke, this hit me rather cold. But this in no way would attempt to infringe upon the log patrols' present operations in recovering other merchantable timber, for instance, that is broken up in log booms that drift on, for instance, your property?"

Senator Clarke: "I just stated in my remarks that there was a present Log Patrol Act under which they retrieve branded logs, and that I had no intent whatsoever of preventing that."

The motion by Senator Clarke carried and the amendment was adopted.

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed House Bill No. 134, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Senator Peterson, I am going to ask you a question and I hope your answer is the right one. What I want to establish is the intent of this act. If you will note in new section 3, it defines wood debris as used in this chapter. Then it goes on to spell out what is adrift and stranded on beaches. It is not the intent of this law to have the department pull all the driftwood that is on the beaches off, even though it be classified as wood debris?"

Senator Peterson (Lowell): "Senator Rasmussen, I am sure that this is not the intent. The intent, and the language is obviously a little bit broad, but there are a number of beaches which the state does own and in those cases, in order to clean the beaches, I would assume that in many cases they would. But it certainly is not the intent of the bill to come onto a private owner's beach and remove all the debris without his permission. In fact, if we got into that field we could not finance it anyway. In fact, I question as to what they can do with the limited amount of money they have in this measure anyway."

Senator Rasmussen: "Thank you, Senator Peterson. Mr. President, I got the wrong answer. Let me say that I would hope that under this law that the department does not remove all the debris off of the beaches because in the neighboring state of California they have a law that nobody may remove any driftwood from the beach and of course driftwood is what makes the ocean beaches and the bay attractive. And if now the department were to take it as the intent of this legislature that they wanted all of this debris removed, our beaches would not be very attractive any more. I would understand if they wanted to remove the broken glass and things like that left by the fishermen. But I do like to see driftwood on the beaches and it makes it very attractive, both for children and adults. Now, can you give me the right answer, Senator Peterson?"

Senator Peterson (Lowell): "Senator Rasmussen, I thought I did the first time. I am sure it is not the intent of the department to go, with our thousands of miles of beachline and coastline, and remove all the driftwood. We are speaking primarily more to the necessity of cleaning the waters rather than the beaches."

## POINT OF INQUIRY

Senator Newschwander: "Would Senator Peterson yield? When you remove this debris, are you planning to sell it to somebody and to whom are you going to sell it, or are you going to remove it and burn it and pollute the air?"

Senator Peterson (Lowell): "This was discussed in committee and obviously under our present laws, it is practically impossible to remove it and burn it. What they are trying to work out and they are experimenting on this and it is a new program as to the susceptibility of perhaps chipping some of it and using it as organic matter, but not to burn it, no."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 134, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 14; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bottiger, Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Greive, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mårdesich, Marsh, Matson, Metcalf, Murray, Peterson (Lowell), Peterson (Ted), Stender, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall—31.

Voting nay: Senators Bailey, Canfield, Durkan, Jolly, Newschwander, Odegaard, Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Walgren, Woody—14.

Absent or not voting: Senators Donohue, Grant, Sellar—3.

Excused: Senator Guess—1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 280, by Representatives Paris, Conner and Chatalas (by Department of Social and Health Services request):

Changing the terms of certain advisory councils of the department of social and health services and eliminating certain committees.

#### MOTION

On motion of Senator Day, Engrossed House Bill No. 280 was referred to the Committee on Ways and Means.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 130, by Representatives Kalich and Smythe:  
Allowing revision of county budgets upon receipt of unanticipated funds.

#### REPORT OF STANDING COMMITTEE

February 27, 1973.

HOUSE BILL NO. 130, allowing revision of county budgets upon receipt of unanticipated funds (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendment:

In section 1, line 20, after "*which the*" and before "*resolution*" on line 21, strike "*appropriation*" and insert "*supplemental appropriations*".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Whetzel.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendment was adopted.

Senator Talley moved adoption of the following amendment:

On page 1, line 5, after "Section 1:" and before "Section 36.40.100" insert the following:

"Section 36.17.030, chapter 4, Laws of 1963 and RCW 36.17.030 are each amended to read as follows:

All county officers shall be entitled to their necessary reasonable traveling expenses in the performance of their official duties, bills therefor to be audited by the county commissioners: PROVIDED, That when using their own cars, they shall be allowed [not to exceed ten cents] *such compensation* per mile for each mile of necessary travel *as is established by the county legislative authority.*

Sec. 2."

On line 1 of the title after "counties;" and before "and" insert "amending section 36.17.030, chapter 4, Laws of 1963 and RCW 36.17.030;".

#### POINT OF ORDER

Senator Atwood: "This amendment by Senator Talley is beyond the scope and object of the bill. It deals with mileage for county officials. The bill deals with supplemental appropriations from unanticipated funds and therefore I do not think it is in order."

President Pro Tempore Henry: "You do not think they could pay the mileage out of unanticipated funds?"

Senator Atwood: "No, the amendment is a separate bill. The bill itself deals with unanticipated funds, whether federal or otherwise, and deals with the procedures for passing supplemental appropriations for counties. It does not have anything to do with mileage or compensation for travel of county officials. It is a separate bill. There is a title amendment, as you will notice."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Ruling on the point of order, it clearly does enlarge the scope and object of the bill."



The motion by Senator Talley failed and the amendment was ruled out of order.

On motion of Senator Fleming, the rules were suspended, House Bill No. 130, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 130, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Guess—1.

HOUSE BILL NO. 130, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 320, by Representatives Erickson and Ehlers:

Enlarging the area of residence for persons eligible for membership in the state soldiers' home.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 320 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 320, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senators Newschwander, Scott—2.

Absent or not voting: Senators Connor, Fleming—2.

Excused: Senator Guess—1.

ENGROSSED HOUSE BILL NO. 320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

February 26, 1973.

SENATE BILL NO. 2473, regulating the practice of massage (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Substitute Senate Bill No. 2473 be substituted therefor and the substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Keefe, Murray.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

March 1, 1973.

JOHN L. HAGENSEN, to the position of member of the State Board for Community College Education, appointed by the Governor on April 7, 1972 for the term ending April 3, 1976, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

#### MOTIONS

On motion of Senator Mardesich, all bills remaining on today's calendar were re-referred to the Committee on Rules.

At 4:05 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, March 2, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FIFTY-FOURTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Friday, March 2, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Herr. On motion of Senator Peterson (Lowell), Senators Dore and Herr were excused.

The Color Guard, consisting of Pages David Roebuck and Elizabeth Petrich, presented the Colors. Reverend George M. Mitchell, pastor of The First Christian Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, OUR HEAVENLY FATHER, WE COME TO YOU JUST NOW FREELY CONFESSING OUR NEED OF YOUR WISDOM AND UNDERSTANDING IN ORDER TO DEAL ADEQUATELY WITH THE ISSUES WHICH FACE EACH OF THESE SENATORS. AND SO WE COME TO YOU IN PRAYER. BUT DON'T ALLOW US TO IMAGINE THAT THIS FORMAL PRAYER CAN TAKE THE PLACE OF PRIVATE PRAYER. AND SO, MAY THERE ARISE FROM EVERY DESK THE SILENT PRAYER THAT SEEKS TO KNOW YOUR WILL. LET NOT FOOLISH PRIDE NOR STUBBORN WILL KEEP US FROM CONFESSING OUR NEED OF YOUR GUIDANCE AND INSPIRATION.

"HELP EACH ONE OF US, O LORD, WHEN WE WANT TO DO THE RIGHT THING BUT DO NOT KNOW WHAT IT IS. BUT HELP US EVEN MORE WHEN WE KNOW PERFECTLY WELL WHAT WE OUGHT TO DO BUT DO NOT WANT TO DO IT. IN HIS NAME WE PRAY. AMEN."

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Peterson (Ted): "I just want to express myself to say how wonderful it is to be here and stand here and see these youngsters in the gallery put their hand over their heart and salute the flag as they did and then hear the good Reverend say what he said. I appreciate it."

## JOURNAL OF THE SENATE

## PRESIDENT'S PRIVILEGE

The President: "Members of the Senate, ladies and gentlemen, the President should like to call your attention to the first page of the House amendments to Senate bills and call your attention to the fact that this is the birthday of a very lovely and gracious lady, the beloved Mrs. Julia Herrmann who has served the members of the Senate and the citizens of our state with such dignity and capability. The President is sure that you all join in wishing Julia a very, very happy birthday."

## MOTION

On motion of Senator Keefe, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-30

By Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Julia Herrmann, close friend of the members of the Senate and mother of former Senator and now Insurance Commissioner Karl V. Herrmann, is celebrating her birthday today; and

WHEREAS, Julia was born in 1884 in the state of Iowa and came to the Pacific Northwest in a covered wagon before the turn of this century; and

WHEREAS, Julia, from a family of nine children, came to the state of Washington from Montana more than 70 years ago and reared eight children in the Wenatchee Valley and Okanogan area; and

WHEREAS, Julia has been an employee of the Washington State Senate since 1959, during which period her gracious and kindly personality has caused much joy and happiness with all who have come in contact with her;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate do hereby express to Julia Herrmann their appreciation for her many years of faithful service and for her many kindnesses, and do hereby congratulate her on this birthday which she now celebrates and wish her many more such occasions in the future;

BE IT FURTHER RESOLVED, That the Secretary of the Senate be and he is hereby instructed to prepare and forward copies of this resolution to Julia Herrmann and to her son, Insurance Commissioner Karl V. Herrmann.

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

March 1, 1973.

SENATE BILL NO. 2490, granting victims of crime compensation under certain conditions (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Gardner, Grant, Marsh, Metcalf, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

February 20, 1973.

SENATE BILL NO. 2608, relating to franchises and amending definitions (reported by Committee on Commerce):

Recommendation: Do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

March 1, 1973.

ENGROSSED HOUSE BILL NO. 54, exempting from taxation certain vehicle parts, equipment, furnishings, and accessories during construction process (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Dore, Gardner, Grant, Metcalf, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

March 2, 1973.

ENGROSSED HOUSE BILL NO. 782, regulating chain distributor business schemes (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 1, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2072,

ENGROSSED SENATE BILL NO. 2074,

ENGROSSED SENATE BILL NO. 2179,

SENATE BILL NO. 2253,

SENATE BILL NO. 2257, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 1, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2194,

ENGROSSED SENATE BILL NO. 2246,

SENATE BILL NO. 2340,

SENATE BILL NO. 2341,

SENATE BILL NO. 2360,

SENATE BILL NO. 2386,

ENGROSSED SENATE BILL NO. 2440,

SENATE BILL NO. 2508, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 11:10 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:10 a.m.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Doctor R. Franklin Thompson, President of the University of Puget Sound and appointed a special

committee consisting of Senators Bottiger, Lewis (Harry), Gardner, Stortini, Knoblauch and Sandison to escort Dr. Thompson to a place of honor upon the rostrum.

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, it is with great pleasure and pride that the President at this time presents to you one of your own members, the Honorable Booth Gardner, who has achieved great success in many fields. One especially notable is that he was previously Director of the School of Business and Public Administration at the University of Puget Sound, which has provided him a wonderful background to serve the people of his district and the state of Washington. Senator Gardner, who will in turn present our distinguished guest."

Senator Gardner introduced Doctor Thompson and with leave of the Senate, business was suspended to permit the honored guest to address the Senate.

On motion of Senator Rasmussen, the following resolution was unanimously adopted:

#### SENATE RESOLUTION 1973-31

By Senators Rasmussen, Knoblauch, Gardner, Stortini, Newschwander and Bottiger:

WHEREAS, Dr. H. Franklin Thompson was chosen president of the University of Puget Sound in 1942, following a career as a minister of the Methodist Church, university professor and administrator; and

WHEREAS, Since that selection he has become the dean of University Presidents in the United States during a period of continuous service to the University of Puget Sound in excess of thirty years; and

WHEREAS, As a result of his tenure at the University of Puget Sound he has established a national reputation for being a leader among private liberal arts colleges in the nation; and

WHEREAS, During his presidency he has led the University of Puget Sound through a period of dynamic expansion, exemplified in part by the many-fold expansion of the student body, a nine-fold expansion of the university's physical plant, the development of a faculty of outstanding quality and distinction, the diversification and improvement of the curriculum available to the students, the establishment of a school of law to serve the needs of the citizens of the state, and the expansion of the endowment of the university to allow the University of Puget Sound to operate in a fiscally responsible manner; and

WHEREAS, During the same period of service he has shown his involvement in the total community surrounding him by participating in or leading activities of community or statewide impact including the Washington State Historical Society, the Governor's Commission on Institutional Industries, the Tacoma General Hospital, the State Officials' Salary Review Board, and Rotary International; and

WHEREAS, He has continued to play a vital role in the shaping of the Methodist Church through constant participation in, and leadership of the activities of the church on a national and international level. These activities have included membership on the general board of the National Council of Churches, the Executive Committee of the Commission on Finance Administration, the Board of Education of the Methodist Church and the Presidency of the National Association of Methodist Colleges and Universities; and

WHEREAS, He has been honored for the excellence of his leadership by the granting of honorary degrees from, among others, Nebraska Wesleyan University, American University, Willamette University and the University of the Pacific; and

WHEREAS, Many of the leaders of our state have directly benefited from the example of honesty, directness, diligence, ingenuity, eloquence, and persuasiveness exhibited to them by Dr. Thompson during that formative period of their lives spent as students of the University of Puget Sound; and

WHEREAS, Dr. R. Franklin Thompson has indicated that he will be stepping down from the post of president of the University of Puget Sound in May of 1973;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extend to Dr. R. Franklin Thompson our sincere appreciation for his services to the citizens of this

state and the nation throughout his thirty-one years of leadership in the educational, social, and cultural lives of our area, state and nation; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit a copy of this resolution to Dr. R. Franklin Thompson and spread a copy thereof upon the journal of the Senate.

Senator Gardner introduced Mrs. Thompson to the members of the Senate.

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Senator Gardner, and thank you, Doctor and Mrs. Thompson, for your presence here today. The members of the Senate and the President are happy that you have had an opportunity to smell some of the Senate flowers while still around to enjoy them."

The honored guests were escorted from the Senate Chamber by the special committee.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate Richard Hannula, the principal of Woodrow Wilson High School, the assistant swimming coach and the swimming team and appointed a special committee consisting of Senators Bottiger, Rasmussen, Stortini, Gardner and Knoblauch to escort the honored guests to the rostrum.

With leave of the Senate, business was suspended to permit Richard Hannula to address the Senate and introduce the school principal, assistant coach and the swimming team.

On motion of Senator Stortini, the following resolution was unanimously adopted:

#### SENATE RESOLUTION 1973-29

By Senators Stortini, Bottiger, Rasmussen, Gardner, Knoblauch and Newschwander:

WHEREAS, The swimming program of Woodrow Wilson High School of Tacoma has become nationally recognized for its achievements in the training of youthful contenders; and

WHEREAS, The program has enabled Woodrow Wilson High School to compile a fourteen year record of one hundred ninety-two consecutive victories in meet competition, including fourteen consecutive state swimming championships; and

WHEREAS, The program has developed fifty contenders who have received All-American recognition during a fourteen year span; and

WHEREAS, The program has resulted in the development of eight All-Americans in 1973; and

WHEREAS, The success of the program has generated tremendous widespread interest in swimming as a competitive sport;

NOW, THEREFORE, BE IT RESOLVED, That Coach Richard Hannula, who has dedicated his efforts to the training of youthful contenders and who has been individually responsible for the success of the program, be commended by the Senate of the State of Washington for his outstanding services as a coach and educator, together with all the participants who have contributed to the success of the program; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to Richard Hannula, all swim team members, the principal of Woodrow Wilson High School, and the Student Body President.

The honored guests were escorted from the Senate Chamber by the special committee.

#### MOTION

On motion of Senator Bailey, Senator Mardesich was excused.

There being no objection, the Senate returned to the fourth order of business.

## JOURNAL OF THE SENATE

## MESSAGE FROM THE HOUSE

February 23, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2008, with the following amendments:

On page 1, beginning on line 2 of the title of the engrossed bill, strike "and adding a new section to chapter 74.04 RCW" as added by the amendment by Senator Bottiger to the title, and insert "and creating a new section".

On page 2, beginning on line 20 of the engrossed bill, strike all of section 2, added by the amendment to page 2 by Senator Bottiger.

Re-number the remaining section consecutively, and the same is herewith transmitted.  
DEAN R. FOSTER, Chief Clerk.

## MOTIONS

Senator Bottiger moved the Senate do concur in the House amendments to Engrossed Senate Bill No. 2008.

Senator Woodall moved the Senate do not concur in the House amendments to Engrossed Senate Bill No. 2008.

The President declared the question before the Senate to be the positive motion by Senator Bottiger that the Senate do concur in the House amendments.

The motion by Senator Bottiger failed on a rising vote.

The motion by Senator Woodall carried and the Senate refused to concur in the House amendments and asks the House to recede therefrom.

## MESSAGE FROM THE HOUSE

March 1, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2033, with the following amendments:

In lines 1 and 2 of the title, after "adding" strike "a new section" and insert "two new sections".

Add a new section following section 1 as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 9, Laws of 1965 and to chapter 29.64 RCW a new section to read as follows:

Each county auditor shall file with the state auditor a statement listing only the additional expenses incurred whenever a mandatory recount of the votes cast on a state measure is made as provided in section 1 of this 1973 amendatory act. The state auditor shall compile such claims for presentation to the next succeeding session, regular or extraordinary, of the legislature in the same manner as other legislative relief claims.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Odegaard, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2033.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2033, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott,



Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Ridder—1.

Excused: Senators Dore, Herr, Mardesich—3.

ENGROSSED SENATE BILL NO. 2033, 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 HOUSE

February 23, 1973.

Mr. President: The House has passed SENATE BILL NO. 2038, with the following amendments:

On page 1, lines 2 and 3 of the title, after "and adding" strike "a new section" and insert "new sections".

On page 2, section 1, beginning on line 12, strike the entire paragraph down to and including "taxes." on line 17, and insert the following new section:

"*NEW SECTION.* Sec. 2. There is added to chapter 84.36 RCW a new section to read as follows:

Upon cessation of the use which has given rise to an exemption hereunder, the county treasurer shall collect all taxes which would have been paid had the property not been exempt during the ten years preceding, or the life of such exemption if such be less, together with interest at the same rate and computed in the same way as that upon delinquent property taxes."

Renumber the remaining section consecutively, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Whetzel, the Senate concurred in the House amendments to Senate Bill No. 2038.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2038, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Bottiger—1.

Excused: Senators Dore, Herr, Mardesich—3.

SENATE BILL NO. 2038, 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 HOUSE

February 28, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2093, with the following amendment:

On page 1, section 2, line 19 of the engrossed and printed bills, after "sources," insert

"which was not anticipated in the budget approved by the legislature", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Atwood, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2093.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2093, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Bottiger, Durkan—2.

Excused: Senators Dore, Herr, Mardesich—3.

ENGROSSED SENATE BILL NO. 2093, 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 Senator Gardner, Engrossed Senate Bill No. 2096 and the House Message thereto, were ordered held for consideration on Saturday, March 3, 1973.

#### MESSAGE FROM THE HOUSE

March 1, 1973.

Mr. President: The House has passed SENATE BILL NO. 2109, with the following amendments:

On page 3, section 1, line 27, after "been" strike "*or will be*"

On page 3, section 1, line 28, after "furnished" and before "and" insert "*; or, in the case of payments for periodic maintenance services to be performed on state-owned equipment, that a written contract for such periodic maintenance services is currently in effect and copies thereof are on file with the office of program planning and fiscal management and the legislative budget committee;*".

On page 3, section 1, line 30, after "are" and before "paid" insert "*lawfully*".

On page 3, section 1, line 31, after "advance" and before "rendering" strike "*the person, firm, or corporation*" and insert "*of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores*".

On page 4, section 1, line 1, after "board" and before the period insert "*but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract*".

On page 6, section 2, line 9, after "corporation" insert "*other than central stores*".

On page 6, section 2, line 13, after "board." insert "Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Gardner, the Senate concurred in the House amendments to Senate Bill No. 2109.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2109, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Bottiger, Talley—2.

Excused: Senators Dore, Herr—2.

SENATE BILL NO. 2109, 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 HOUSE

March 1, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2111, with the following amendment:

On page 7, section 10, beginning on line 30 of the engrossed and printed bills, after "investments" strike all material down to and including "loans, [, or]" on line 32, and insert [which are at the time legal investments for savings and loan associations in this state, except first mortgage real estate loans, or] thus striking the amendment by the Senate Committee on Financial Institutions to page 7, section 10., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTIONS

Senator Walgren moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 2111.

Senator Stender moved that the Senate do concur in the House amendment to Engrossed Senate Bill No. 2111.

Debate ensued.

The President declared the question before the Senate to be the positive motion by Senator Stender that the Senate do concur in the House amendment to Engrossed Senate Bill No. 2111.

The motion failed on a rising vote and the motion by Senator Walgren carried and the Senate refused to concur in the House amendment and asks the House to recede therefrom.

## MESSAGE FROM THE HOUSE

February 28, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, with the following amendments:

On page 2, section 4, beginning on line 16 of the engrossed bill, after "Sec. 4." strike the remainder of the section and insert the following:

"There is hereby created a hospital commission, which shall be a separate and independent commission of the state. The commission shall be composed of five members appointed by the governor, and generally representative of the public as consumers, labor, business, and hospitals, and shall be individuals concerned with the delivery of quality health care; but in no event shall more than two members have any fiduciary obligation to a health facility or other health agency, nor any direct financial interest in the rendering of health services."

On page 2, section 5, beginning on line 32 of the engrossed bill, after "Sec. 5." strike all material down to and including "four years." on page 3, line 6, and insert: "Members of the commission shall serve for four-year terms and shall require senate confirmation."

On page 3, section 7, beginning on line 31 of the engrossed bill, strike all material down to and including "41.06 RCW." on line 33, and insert the following:

"The secretary of the department of social and health services shall employ and furnish such other staff as are necessary to fulfill the responsibilities and duties of the commission, such staff to be subject to the civil service law, chapter 41.06 RCW, and under the supervision of the commission and its executive director.", and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Day, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 2113 and asks the House to recede therefrom.

## MESSAGE FROM THE HOUSE

February 28, 1973.

Mr. President: The House has passed SENATE BILL NO. 2258, with the following amendments:

On page 1, section 1, beginning on line 7, after "state" strike all material down to and including "year" on line 8, and insert "[between the first day of January and the first day of May of each year] *within thirty days after the anniversary date each year of the issuance by the secretary of state of its certificate of incorporation or certificate of authority, as the case may be*".

On page 1, section 1, beginning on line 10, after "filed" strike all material down to and including "in" on line 11, and insert "[between the first day of January and the first day of March of the year next succeeding the calendar year in] *within thirty days after the date on*", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Francis, the Senate refused to concur in the House amendments to Senate Bill No. 2258, and asks the House to recede therefrom.

## MESSAGE FROM THE HOUSE

February 23, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2342, with the following amendment:

On page 2, section 2, line 4 of the engrossed and printed bills, after "*lunchrooms*" insert "*or other facilities*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Gardner, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2342.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2342, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 2; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—39.

Voting nay: Senators Clarke, Jones, Newschwander, Twigg, Woodall—5.

Absent or not voting: Senators Bottiger, Peterson (Ted)—2.

Excused: Senators Dore, Herr, Mardesich—3.

ENGROSSED SENATE BILL NO. 2342, 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

At 12:25 p.m., on motion of Senator Walgren, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2072,  
 SENATE BILL NO. 2074,  
 SENATE BILL NO. 2179,  
 SENATE BILL NO. 2194,  
 SENATE BILL NO. 2246,  
 SENATE BILL NO. 2253,  
 SENATE BILL NO. 2257,  
 SENATE BILL NO. 2340,  
 SENATE BILL NO. 2341,  
 SENATE BILL NO. 2360,  
 SENATE BILL NO. 2386,  
 SENATE BILL NO. 2440,  
 SENATE BILL NO. 2508.

#### MESSAGE FROM THE HOUSE

March 1, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2053, with the following amendments:

On page 1, line 2 of the title, after "1965" insert "as amended by section 5, chapter 4, Laws of 1973".

On page 1, section 1, line 5, after "1965" insert "as amended by section 5, chapter 4, Laws of 1973".

On page 1, section 1, line 12, after "[election]" insert "[in the even numbered year]", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Grant, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2053.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2053, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 5; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senators Bottiger, Peterson (Lowell), Rasmussen, Talley, Walgren—5.

Excused: Senators Dore, Herr—2.

ENGROSSED SENATE BILL NO. 2053, 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 HOUSE

March 1, 1973.

Mr. President: The House has passed SENATE BILL NO. 2415, with the following amendments:

In lines 2 and 3 of the title, after "90.44.035;" strike all material down to and including "90.44.040;".

On page 2, section 3, beginning on line 12, strike all of section 3., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Washington moved that the Senate do concur in the House amendments to Senate Bill No. 2415.

#### POINT OF INQUIRY

Senator Guess: "Would Senator Washington yield? Senator Washington, before it defined the existing rights of all natural ground waters and all artificially stored ground waters if they had been abandoned, forfeited or otherwise relinquished. Now what is going to happen to those by striking all of section 3?"

Senator Washington: "You are not going to strike all of section 3 at all. We are only taking it out of the bill. We are not taking it out of the act. When we strike section 3 from here, we just leave the law as it is."

Senator Guess: "Well, it says, 'strike all of section 3'."

Senator Washington: "Yes, but when we take section 3 out, we are leaving RCW

90.44.040 as it is. This is a change in section 90.44.040. If we strike out section 3 we are not going to amend 90.44.040 and it will remain in the law as it now is."

The motion by Senator Washington carried and the Senate concurred in the House amendments to Senate Bill No. 2415.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2415, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Atwood, Bottiger, Rasmussen—3.

Excused: Senator Herr—1.

SENATE BILL NO. 2415, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

February 28, 1973.

Mr. President: The House has passed SENATE BILL NO. 2459, with the following amendments:

On page 5, section 5, line 8 after "to" and before "adopted" insert "be".

On page 5, section 5, line 9 after "child" and before "be" insert "shall".

On page 12, section 9, line 11 after "custody." insert "In any dispute between the natural parents of an illegitimate child and person or persons who have (1) commenced adoption proceedings or who have been granted an order of adoption, and (2) pursuant to court order or placement by the department of social and health services or 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.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Woodall, the Senate concurred in the House amendments to Senate Bill No. 2459.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2459, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—42.

Absent or not voting: Senators Bottiger, Day, Durkan, Grant, Mardesich, Woody—6.  
Excused: Senator Herr—1.

ENGROSSED SENATE BILL NO. 2459, 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 HOUSE

March 1, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2464, with the following amendment:

On page 2, section 1, line 23 of the engrossed and printed bills, after “*bond*” and before the semi-colon, insert “, *but in the event such a performance bond is not required then progress payments to the contractor may be required to be made based on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, materialmen, mechanics and sub-contractors from the previous partial payment*”, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Fleming, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2464.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2464, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—43.

Voting nay: Senators Clarke, Jones, Woodall—3.

Absent or not voting: Senators Bottiger, Peterson (Lowell)—2.

Excused: Senator Herr—1.

ENGROSSED SENATE BILL NO. 2464, 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 HOUSE

February 27, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2559, with the following amendment:

On page 1, section 1, line 15 of the engrossed bill, being the last line of the amendment by Senator Canfield, after “*from*” insert “*real and personal property*”, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Sandison, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2559.



## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2559, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Bottiger, Dore—2.

Excused: Senator Herr—1.

ENGROSSED SENATE BILL NO. 2559, 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 HOUSE

March 1, 1973.

Mr. President: The House has passed SENATE BILL NO. 2568, with the following amendments:

On page 3, section 5, line 7 after "in" strike "any bank" and insert "one or more banks".

On page 3, section 5, line 9 after "warrant" insert "to each bank so designated", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Gardner, the Senate concurred in the House amendments to Senate Bill No. 2568.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2568, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Jones—1.

Absent or not voting: Senator Bottiger—1.

Excused: Senator Herr—1.

SENATE BILL NO. 2568, 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 HOUSE

February 27, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2350, with the following amendments:

On page 1, section 2, line 25 of the engrossed bill, being line 20 of the printed bill, after "his" insert "actual travel expense or ten cents per mile, whichever is less, from his residence and in addition his".

On page 1, section 2, line 26 of the engrossed bill, being line 21 of the printed bill, after "actual" strike "expenses" and insert "living expenses not to exceed forty dollars per day".

On page 2, section 2, line 5 of the engrossed bill, being page 1, line 27 of the printed bill, after "actual" strike "expenses" and insert "travel expenses or ten cents per mile, whichever is less, from his residence and in addition his living expenses not to exceed forty dollars per day".

On page 2, section 2, line 16 of the engrossed bill, being page 2, line 8 of the printed bill, after "him," strike all material down to and including "expenses" on line 17 of the engrossed bill, being line 9 of the printed bill, and insert "the actual travel expenses or ten cents per mile, whichever is less, from place of residence and in addition the living expenses not to exceed forty dollars per day", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Francis moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2350.

#### POINT OF INQUIRY

Senator Bailey: "Would Senator Francis yield? Senator Francis, the action of the House did not repeal the Senate limitations on what the pro tem judges could earn?"

Senator Francis: "No, it did not, Senator Bailey. The limits that we placed on other bills are not affected at all. On this bill we had said 'actual expenses.' The House amendment changed that and says 'actual expenses, however, not to exceed ten cents a mile and not to exceed in any event forty dollars a day.' So they put a ceiling and some limits on what we had not limited."

The motion by Senator Francis carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 2350.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2350, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Scott—1.

Absent or not voting: Senator Bottiger—1.

Excused: Senator Herr—1.

ENGROSSED SENATE BILL NO. 2350, 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

At 2:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Saturday, March 3, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTY-FIFTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, March 3, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Charles Smith and Toni DeSanto, presented the Colors. Reverend George M. Mitchell, pastor of The First Christian Church of Olympia, offered the following prayer:

"O GOD OUR FATHER, SAVE US FROM OUR TOO-FREQUENT LIP WORSHIP OF YOU, WHILE OUR HEARTS ARE FAR AWAY. LET US NOT BE CONTENT WITH WAITING TO SEE WHAT WILL HAPPEN, BUT GIVE US THE DETERMINATION TO MAKE THE RIGHT THINGS HAPPEN. WHEN WE LONG FOR LIFE WITHOUT PROBLEMS AND WORK WITHOUT DIFFICULTIES, MAY WE SEE IN EVERY CRITICAL SITUATION AN OPPORTUNITY, AND NOT GIVE WAY TO THE PESSIMISM THAT SEES A CALAMITY IN EVERY OPPORTUNITY. KNOWING THAT YOU ARE STILL IN CONTROL IN YOUR UNIVERSE, WE ASK YOU TO HELP US TO PROCEED WITH THE TASKS WHICH CONFRONT US, DOING THE BEST WE CAN AND LEAVING THE REST TO YOU, FOR WE PLACE OUR FAITH AND OUR TRUST IN YOU. AMEN."

## MOTION

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

February 28, 1973.

SENATE BILL NO. 2226, providing for changes in the relationship of landlord and tenant (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2226 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Durkan, Greive, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 2, 1973.

ENGROSSED HOUSE BILL NO. 160, changing the time periods for permitting the disposal of personal property in the possession of certain authorities (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Atwood, Bottiger, Clarke, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2033,  
SENATE BILL NO. 2038,  
SENATE BILL NO. 2053,  
SENATE BILL NO. 2093,  
SENATE BILL NO. 2109,  
SENATE BILL NO. 2342,  
SENATE BILL NO. 2350,  
SENATE BILL NO. 2415,  
SENATE BILL NO. 2459,  
SENATE BILL NO. 2464,  
SENATE BILL NO. 2559,  
SENATE BILL NO. 2568.

#### MOTIONS

On motion of Senator Sandison, the Committee on Higher Education was relieved of further consideration of Senate Bill No. 2740.

On motion of Senator Sandison, Senate Bill No. 2740 was referred to the Committee on Ways and Means.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

March 3, 1973.

SENATE BILL NO. 2740, adopting the budget for the institutions of higher education and the community colleges (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2740 be substituted therefor and that Substitute Senate Bill No. 2740 do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Grant, Marsh, Newschwander, Peterson (Ted), Ridder, Sandison.

#### MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2740 was substituted for Senate Bill No. 2740, and the substitute bill was ordered placed on the second reading calendar for today.

At 9:50 a.m., on motion of Senator Mardesich, the Senate recessed until 11:00 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 11:00 a.m.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2740, by the Committee on Ways and Means (originally sponsored by Senators Donohue, Scott and Sandison):

Adopting the budget for the institutions of higher education and the community colleges.

On motion of Senator Durkan, the Senate resolved itself into a Committee of the Whole, for the purpose of considering Substitute Senate Bill No. 2740.

## COMMITTEE OF THE WHOLE

President Pro Tempore Henry in the Chair.

On motion of Senator Awood, the following amendment by Senators Awood, Lewis (Harry), Clarke, Jones and Whetzel was adopted:

On page 2, section 2, line 6, after "biennium" insert " PROVIDED FURTHER, That the funds contained in this section shall be reprioritized so that up to \$293,200 may be available for arboretum purposes, which funds shall not be expended at any location other than the present University of Washington arboretum located in Seattle without the approval of the legislature".

Substitute Senate Bill No. 2740 was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass as amended.

President Cherberg in the Chair.

On motion of Senator Durkan, the report of the committee was adopted.

On motion of Senator Durkan, the reading had in the Committee of the Whole was considered the second reading of Substitute Senate Bill No. 2740.

## POINT OF INQUIRY

Senator Metcalf: "Would Senator Durkan yield to a question? For the record, Senator Durkan, there has been some confusion even among members of the Senate on the purpose of the committee of the whole, and I would like to have you state for the record what is the purpose when it is used in the Senate."

Senator Durkan: "It is twofold. One, the rules of the Joint Rules require that we go to the committee of the whole. That is the first reason why we are there this morning. The second is that it is the one area in which the Senate has no right to limit debate, and at the request of—we did change the rules, that there can be roll calls within the committee of the whole."

Senator Washington: "I think for the record there is also one other very important reason for keeping the committee of the whole and having the right to have roll calls, is that it is only in the committee of the whole that we have the right to bring witnesses to the floor of the Senate and it also leaves a way open to where we can have informal discussion on many problems on the floor of the Senate. We have not seen fit to do that in the past. I think we have had only one occasion in recent years, where we did bring someone in from the outside. That was Attorney General O'Connell to talk about a constitutional convention. But there could be times in the future when we do have problems that the entire Senate should discuss as in a committee."

Senator Henry: "There is one other little matter in there too, a motion to table is not allowed under the committee of the whole."

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute Senate Bill No. 2740 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2740, and the bill passed the Senate by the following vote: Yeas, 44; nays, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senators Guess, Lewis (Harry), Murray, Newschwander, Sandison-5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

March 3, 1973.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 291, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

At 11:25 a.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, March 5, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FIFTY-SEVENTH DAY**

## NOON SESSION

Senate Chamber, Olympia, Wash., Monday, March 5, 1973.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Stender. On motion of Senator Atwood, Senator Stender was excused. There being no objection, Senator Durkan was excused.

The Color Guard, consisting of Pages Jim Quilliam and Karen Lovsted, presented the Colors. Reverend Jack Finney, pastor of Westminster Presbyterian Church of Olympia, offered the following prayer:

"Today we will have a bidding prayer. I will bring several areas of concern before God and after each there will be time for you to talk with God silently on that matter. Let us pray.

"GOD OUR FATHER, AS THE WASHINGTON STATE SENATE CONVENES TODAY, YOUR FAITHFUL SERVANTS IN THIS BODY REACH OUT IN PRAYER FOR YOUR HELPING HAND KNOWING THAT ONLY YOU CAN MAKE THEM EQUAL TO THE ENORMOUS TASK OF FORMULATING LAWS ON BEHALF OF THE PEOPLE OF WASHINGTON. HEAR NOW, GOD, AS SENATORS SEEK YOUR HELP, TO SEE CLEARLY HOW THEIR DECISIONS AND VOTES MADE TODAY WILL AFFECT THE LIVES OF PEOPLE IN YEARS TO COME. GOD, LISTEN NOW TO THE PRAYERS CONCERNING THE USE OF WASHINGTON'S FINANCIAL RESOURCES OF WHICH THE LEGISLATURE IS GUARDIAN. LORD, WE NEED A SPIRIT OF UNITY HERE IF YOUR WILL IS TO BE DONE. ANSWER THE PLEADING OF SENATORS AS THEY PRAY FOR YOU TO WORK IN THEIR LIVES SO THAT THEY CAN OVERCOME PARTY DIFFERENCES, DIVERGING LOCAL INTERESTS, AND PERSONAL EGOTISM IN ORDER THAT THEY MAY ACHIEVE THE BEST FOR ALL MEN. FATHER, I PRAY THAT TODAY THE CITIZENS OF THIS STATE WILL BE ABLE TO SAY THEY ARE THRILLED WITH WHAT YOU AND YOUR FOLLOWERS HAVE ACCOMPLISHED IN THE SENATE CHAMBERS ON MARCH 5, 1973. AMEN."

## MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGES FROM THE HOUSE

March 3, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2033,  
SENATE BILL NO. 2038,  
SENATE BILL NO. 2053,  
SENATE BILL NO. 2093,  
SENATE BILL NO. 2109,  
SENATE BILL NO. 2342,  
SENATE BILL NO. 2350,  
SENATE BILL NO. 2415,  
SENATE BILL NO. 2459,  
SENATE BILL NO. 2464,  
SENATE BILL NO. 2559,  
SENATE BILL NO. 2568, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 3, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2039,  
SENATE BILL NO. 2042,  
SENATE BILL NO. 2163,  
SENATE BILL NO. 2187,  
SENATE BILL NO. 2213,  
SENATE BILL NO. 2251,  
SENATE BILL NO. 2252,  
SENATE BILL NO. 2400,  
SENATE BILL NO. 2527, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 3, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 71,  
HOUSE BILL NO. 171,  
HOUSE BILL NO. 240,  
HOUSE BILL NO. 320,  
HOUSE BILL NO. 332,  
HOUSE BILL NO. 404,  
HOUSE BILL NO. 467,  
SUBSTITUTE HOUSE BILL NO. 497, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 3, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2072,  
SENATE BILL NO. 2074,  
SENATE BILL NO. 2179,  
SENATE BILL NO. 2194,  
SENATE BILL NO. 2246,  
SENATE BILL NO. 2253,  
SENATE BILL NO. 2257,  
SENATE BILL NO. 2340,  
SENATE BILL NO. 2341,  
SENATE BILL NO. 2360,  
SENATE BILL NO. 2386,



SENATE BILL NO. 2440,  
SENATE BILL NO. 2508, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:  
HOUSE BILL NO. 71,  
HOUSE BILL NO. 171,  
HOUSE BILL NO. 240,  
HOUSE BILL NO. 320,  
HOUSE BILL NO. 332,  
HOUSE BILL NO. 404,  
HOUSE BILL NO. 467,  
SUBSTITUTE HOUSE BILL NO. 497.

MOTION

At 12:10 p.m., on motion of Senator Walgren, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

At 1:35 p.m., on motion of Senator Mardesich, the Senate recessed until 9:30 a.m.,  
Tuesday, March 6, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTY-EIGHTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, March 6, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Peterson (Lowell).

The Color Guard, consisting of Pages John Shaw and Katy McHugh, presented the Colors. Reverend Jack Finney, pastor of Westminster United Presbyterian Church of Olympia, offered the following prayer:

"LORD, YOU HAVE SURE GIVEN OUR LEGISLATORS A MESS TO DEAL WITH. IT MUST SEEM LIKE AN IMPOSSIBLE TASK AT TIMES. THERE ARE MORE NEEDS THAN MONEY. EVERY SENATOR HAS SELF-SEEKING PEOPLE AMONG HIS CONSTITUENCY. LIKE ALL PEOPLE, OUR LAW MAKERS ARE SOMETIMES TEMPTED BEYOND THEIR ABILITIES TO RESIST. 'HATE IS STRONG AND MOCKS THE SONG OF PEACE ON EARTH, GOOD WILL TOWARD MEN.' FATHER, LIKE ALL OF US, OUR SENATORS NEED TO REMEMBER AND EXPERIENCE YOUR LIMITLESS LOVE AND FORGIVENESS IF THEY ARE TO BE ABLE TO SEEK THE BEST INTERESTS OF THEIR FELLOWMEN. I PRAY THAT EVERY MEMBER OF THE SENATE WILL BE FILLED WITH SUCH GRATITUDE FOR YOUR CARE OF THEM THAT THEY WILL FIND IN THEIR LIVES ENOUGH STRENGTH AND COURAGE TO APPROACH THE LEGISLATIVE TASK IN A GOOD SAMARITAN STYLE EVEN IF IT MEANS A POLITICAL DEATH IN ORDER TO IMPROVE THE LOT OF THE POOR, THE FORGOTTEN, AND THE NEEDY. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORT OF STANDING COMMITTEE

February 26, 1973.

SENATE BILL NO. 2337, making appropriations for city streets, county roads, and other nonstate highways (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker.

Passed to Committee on Rules for second reading.

## MESSAGE FROM THE GOVERNOR

Office of the Governor, March 2, 1973.

TO THE HONORABLE, THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON.

GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation or pardon which I have granted since the adjournment of the 1972 Extraordinary Session of the Legislature.

Leonard Birkinbine was found guilty of assault in the second degree by the Superior Court of the State of Washington for Yakima County on January 27, 1948, and he was thereupon placed on probation for a period of one year and his case was dismissed on January 12, 1949. He is presently serving as Undersheriff for Yakima County, in which position the possession of a firearm is necessary to fulfill his official responsibilities.

Section 1202 of Title 18 of the United States Code prohibits convicted felons from possessing any firearm unless that person shall have received a pardon together with an expressed authorization to receive, possess or transport firearms.

On February 14, 1973, a pardon was granted to Leonard Birkinbine, and thereby authorized him to receive, possess or transport firearms.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

## MESSAGE FROM THE HOUSE

March 5, 1973.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Substitute Senate Bill No. 2113 and the House amendments thereto: Representatives Adams, Parker and Polk.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Mardesich, the request of the House for a conference on Engrossed Substitute Senate Bill No. 2113 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed

Substitute Senate Bill No. 2113 and the House amendments thereto: Senators Day, Wanamaker and Greive.

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

February 28, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2327, with the following amendments:

On line 1 of the title after "compensation;" and before "amending" insert "amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 20, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.060;"

On page 1, line 6, after "Section 1." and before "Section 51.32.070" insert the following:

"Section 51.32.060, chapter 23, Laws of 1961 as last amended by section 20, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.060 are each amended to read as follows:

When the supervisor of industrial insurance shall determine that permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

(1) If married at the time of injury, sixty-five percent of his wages but not less than two hundred fifteen dollars per month.

(2) If married with one child at the time of injury, sixty-seven percent of his wages but not less than two hundred fifty-two dollars per month.

(3) If married with two children at the time of injury, sixty-nine percent of his wages but not less than two hundred eighty-three dollars.

(4) If married with three children at the time of injury, seventy-one percent of his wages but not less than three hundred six dollars per month.

(5) If married with four children at the time of injury, seventy-three percent of his wages but not less than three hundred twenty-nine dollars per month.

(6) If married with five or more children at the time of injury, seventy-five percent of his wages but not less than three hundred fifty-two dollars per month.

(7) If unmarried at the time of the injury, sixty percent of his wages but not less than one hundred eighty-five dollars per month.

(8) If unmarried with one child at the time of injury, sixty-two percent of his wages but not less than two hundred twenty-two dollars per month.

(9) If unmarried with two children at the time of injury, sixty-four percent of his wages but not less than two hundred fifty-three dollars per month.

(10) If unmarried with three children at the time of injury, sixty-six percent of his wages but not less than two hundred seventy-six dollars per month.

(11) If unmarried with four children at the time of injury, sixty-eight percent of his wages but not less than two hundred ninety-nine dollars per month.

(12) If unmarried with five or more children at the time of injury, seventy percent of his wages but not less than three hundred twenty-two dollars per month.

(13) For any period of time where both husband and wife are entitled to compensation as temporarily or totally disabled workmen, only that spouse having the higher wages of the two shall be entitled to claim their child or children for compensation purposes.

(14) In case of permanent total disability, if the character of the injury is such as to render the workman so physically helpless as to require the *hiring of the services* of an attendant, the monthly payment *by the department* to such [workman] *attendant for such services* shall be [increased by] an amount [equal to] *not to exceed* forty percent of the average monthly wage in the state as computed in RCW 51.08.018 per month as long as such requirement continues, but such [increases] *payments* shall not obtain or be operative while the workman is receiving care under or pursuant to the provisions of chapters 51.36 and 51.40.

(15) Should any further accident result in the permanent total disability of an injured workman, he shall receive the pension to which he would be entitled, notwithstanding the payment of a lump sum for his prior injury.

(16) In no event shall the monthly payments provided in this section exceed seventy-five percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018, *except that this limitation shall not apply to the payments provided for in subsection 14 of this section.*

Sec. 2."

On page 1, section 1, line 17, after "dollars]" and before "fifty" strike "*not less than*".

On page 1, section 1, beginning on line 19 after "month," strike all the matter down to and including "attendant, [" on line 21 and insert "[and one hundred fifteen dollars per month additional in cases requiring the services of an attendant,]".

On page 2, section 1, beginning on line 5, insert a paragraph as follows:

*"If the character of the injury is such as to render the workman so physically helpless as to require the hiring of the services of an attendant, the monthly payment by the department to such attendant for such services shall not exceed forty percent of the average monthly wage in the state as computed pursuant to RCW 51.08.018 per month as long as such requirement continues but such payments shall not obtain or be operative while the workman is receiving care under or pursuant to the provisions of chapters 51.36 and 51.40 RCW: PROVIDED, That such payments shall not be considered compensation nor shall they be subject to any limitation upon total compensation payments."*

Renumber section 2 as section 3., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Grant moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2327.

#### POINT OF INQUIRY

Senator Stender: "Would Senator Grant yield? Is this the measure that provides for the payment to the individual injured employee rather than to the accident fund?"

Senator Grant: "The amendments, Senator Stender, simply require a payment directly to the attendant rather than to the injured workman. There are not very many attendants, I think there are fifty-some attendants in the state that are getting payment, but they are being paid to the injured workmen now. As far as the fund is concerned and the bill itself, Senator Stender, this bill requires a contribution from working men in our work force today and also their employers in equal amounts. I understand the cost is less than two cents per day."

The motion by Senator Grant carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 2327.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2327, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 5; absent or not voting, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-41.

Voting nay: Senators Atwood, Donohue, Guess, Twigg, Woodall-5.

Absent or not voting: Senators Durkan, Murray, Peterson (Lowell)-3.

ENGROSSED SENATE BILL NO. 2327, 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 HOUSE

March 1, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2096, with the following amendments:

On page 1, section 1, beginning on line 21 of the engrossed bill, after "God" strike all material down to and including "amendatory act" on page 2, line 1, thus striking the Senate Committee on Education amendment.

On page 1, section 1, line 21 after "of God:" insert "*PROVIDED, Failure to complete construction of new facilities shall not be considered an unforeseen emergency: PROVIDED FURTHER, That the loss of school time as a result of employer-employee disputes shall not constitute an unforeseen emergency for the purposes of this act.*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Gardner, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 2096, and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

March 3, 1973.

Mr. President: The House has concurred in the Senate amendment on page 2, section 2, line 5, of ENGROSSED HOUSE BILL NO. 34, and refuses to concur in the following amendment:

On page 1, section 1, line 20 after "voters" and before the period insert "*if the precinct committeemen so request: PROVIDED, That they meet the requirements as set forth by the rules and regulations of the secretary of state's office*". and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Grant moved that the Senate recede from the Senate amendment to Engrossed House Bill No. 34.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Grant yield to a question? Senator Grant, the Senate amendment proposed that only if a precinct committeeman requested those powers of registering voters. Without this amendment it would rather indicate that that was one of the requirements of the job, that they had to register voters. Now what is your opinion of that?"

Senator Grant: "Senator Rasmussen, no one has to register voters. This requires that the county auditors will make precinct committeemen deputy registrars, but that does not require them to register voters. I think that the first part of the amendment, if they had been separated, is a good part, but we unfortunately cannot separate that question and I intend in the special session, when one is called, to introduce legislation to clarify that issue."

Senator Rasmussen: "Thank you, Senator Grant."

## MOTION

On motion of Senator Rasmussen, the House message on Engrossed House Bill No. 34, and the motion by Senator Grant that the Senate recede from the Senate amendment, were ordered held for further consideration on Wednesday, March 7, 1973.

## MESSAGES FROM THE HOUSE

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 580, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 359, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 567, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 652, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 397, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 396, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 402, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 60, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 342, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 645, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 489, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 504, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 337, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 48, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 75, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 79, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 98, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 128, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 130, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 134, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 163, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.



March 5, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 224, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 5, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 262, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

MESSAGE FROM THE HOUSE

March 3, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 137, except the following amendment:

On page 4, section 2, line 22 of the engrossed bill, being page 4, line 23 of the printed bill, after "door" and before the period insert "*but shall not include any glass panel more than 18 inches above the finished floor walking surface*" and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

MOTION

On motion of Senator Mardesich, the Senate insists on its position on the Senate amendment to page 4, section 2, line 22 and again asks the House to concur.

MESSAGE FROM THE HOUSE

March 3, 1973.

Mr. President: The House refuses to concur in the Senate amendment to HOUSE BILL NO. 287, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

MOTION

On motion of Senator Bottiger, the Senate refused to recede from the Senate amendment and asks the House for a conference thereon.

MOTION

On motion of Senator Fleming, consideration of the House message on Engrossed House Bill No. 291 was ordered held for Wednesday, March 7, 1973.

MESSAGE FROM THE HOUSE

March 3, 1973.

Mr. President: The House refuses to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 601, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

MOTION

Senator Grant moved that the Senate recede from the Senate amendment to Engrossed House Bill No. 601.

Debate ensued.

On motion of Senator Washington, further consideration of the House message on Engrossed House Bill No. 601 and the motion by Senator Grant was held for Wednesday, March 7, 1973.

#### PERSONAL PRIVILEGE

Senator Woodall: "Mr. President and members of the Senate, I notice the latest outbreak of foot in mouth disease in the Department of Agriculture when I pick up a copy of a paper in Waitsburg and I learn, to my consternation, on official authority that since Mr. Bledsoe left the legislature and my very esteemed friend Vaughn Hubbard left and Tom Copeland left, the legislature has run out of stand-up guys. Now if he wants to speak for the House where he has served, I suppose it would be up to the House. But he did not spare us. He put us in it. There are no stand-up guys, all intelligence and all courage left when he lost out.

"Now it ill behooves a man who lost his own county by two thousand votes, running against Mike McCormack, and who lost Yakima County by two thousand votes running against the same Mike, and he ran behind in Klickitat—in fact, where he was best known he ran poorest—to come out and state there are no stand-up guys in this legislature. Now I am going to name a few on this side and you can name them on yours. Anyone ever doubt where Sam Guess stood on any subject? Anyone doubt where Twigg stood? Stender has not been exactly timid, has he? Atwood has stood up. Lewis has stood up. Anyone doubt where Metcalf stands? Follow on back. We have got a good dentist; we have got Canfield; Clarke over there is speaking up now. We are doing pretty good. And there happens to be a few on your side, too.

"But it ill behooves a man who wants to come before us for confirmation, who said that if he was appointed he would stay out of politics, to come here and impugn all of us. In an era when the press is trying to downgrade us and belittle us, a member who has served with us joins in this chorus. I would suggest that perhaps someone should get the message to him that he ought to come out and at least exempt the Senate from his remarks in the absence of stand-up guys or he might find several stand-up guys when he comes up for confirmation."

#### MOTION

At 10:15 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, March 7, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**FIFTY-NINTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Wednesday, March 7, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Walgren.

The Color Guard, consisting of Pages John O'Leary and Leslie Clarke, presented the Colors. Reverend Charles Loyer, pastor of Westminster United Presbyterian Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, WE ARE GRATEFUL FOR THE GIFT OF LIFE AND THE ENRICHMENT AND CHALLENGE THAT COME THROUGH SOCIAL RELATIONSHIPS. ENABLE EACH OF US TO BE EQUAL TO THIS DAY'S DEMANDS. BLESS IN A SPECIAL WAY OUR LEGISLATORS. HELP THEM TO WORK THROUGH THEIR PROBLEMS AND RESOLVE THEIR DIFFERENCES IN THE AWARENESS OF THEIR HIGH CALLING TO SPEAK AND ACT FOR THE PEOPLE AND FOR YOU. AMEN."

**MOTION**

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

March 7, 1973.

SENATE BILL NO. 2161, expanding responsibilities of municipal courts in passing sentences (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

March 5, 1973.

SENATE BILL NO. 2402, implementing laws relating to nuclear thermal power facilities (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

March 6, 1973.

SENATE JOINT RESOLUTION NO. 109, amending Constitution to authorize revision in tax structure (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Dore, Grant, Mardesich, Marsh, Ridder, Sandison.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

March 6, 1973.

Mr. President: The House has receded from its amendments to ENGROSSED SENATE BILL NO. 2008, and has passed the bill without the House amendments, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 6, 1973.

Mr. President: The House has receded from its amendments to SENATE BILL NO. 2258, and has passed the bill without the House amendments, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 6, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 217, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 6, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 462, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 6, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 594, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On Tuesday, March 6, 1973, on motion of Senator Bottiger, the Senate refused to recede from the Senate amendments to House Bill No. 287, and asked the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 287 and the Senate amendments thereto: Senators Bottiger, Murray and Gardner.

## MOTION

On motion of Senator Bailey, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

March 6, 1973.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 2111, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 2111 and the House amendments thereto: Representatives Ceccarelli, Warnke and Barden.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Mardesich, the request of the House for a conference on Engrossed Senate Bill No. 2111 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2111 and the House amendments thereto: Senators Walgren, Stender and Dore.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

March 6, 1973.

Mr. President: The House refuses to recede from its position on House amendments to ENGROSSED SENATE BILL NO. 2096, and asks for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 2096: Representatives Bauer, Goltz and Tilly.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Mardesich, the request of the House for a conference on Engrossed Senate Bill No. 2096 and the House amendments thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2096 and the House amendments thereto: Senators Gardner, Guess and Odegaard.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

March 6, 1973.

Mr. President: The House insists on its previous position and refuses to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 137, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed House Bill No. 137: Representatives Wojahn, Kuehnle and O'Brien, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Mardesich, the request of the House for a conference on Engrossed House Bill No. 137 and the Senate amendment thereto was granted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 137 and the Senate amendment thereto: Senators Whetzel, Greive and Woody.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## SIGNED BY THE PRESIDENT

The President signed:  
 SENATE BILL NO. 2008,  
 SENATE BILL NO. 2258,  
 SENATE BILL NO. 2327.

## MOTION

On Tuesday, March 6, 1973, the Senate considered the House message on Engrossed House Bill No. 34, in which the House concurred in the Senate amendment to page 2, section 3, line 5 and refused to concur in the Senate amendment to page 1, section 1, line 20. On March 6, 1973, Senator Grant moved that the Senate recede from the Senate amendment to page 1, section 1, line 20.

The Senate resumed consideration of the motion by Senator Grant.  
 Debate ensued.

## POINT OF INQUIRY

Senator Whetzel: "I wonder if Senator Grant would yield to a question? Senator Grant, if we recede from this amendment that provides for precinct committeemen to meet requirements set forth by rules and regulations of the Secretary of State, are there any requirements for the precinct committeemen as registrars that they would have to meet? What I have in mind is something like the training sessions that election officials have to go through to be familiar with the election laws when they handle elections at the polls. Would there be anything that a precinct committeeman would have to do in terms of training or requirements or knowledge of the election laws of the state before they could go out and register people?"

Senator Grant: "Senator Whetzel, this bill does not require any training. It would not be mandatory. I do not see though that the county auditors could not offer a training

course to precinct committeemen who intended to be deputy registrars. But to answer you directly, this bill does not require a specific course of training. It is a very difficult area to get into and if I felt that the Senate or a conference committee could resolve this question by setting some reasonable rules and regulations through a conference committee then I would certainly be willing to change my position relative to receding from the amendment. But I am fearful, frankly, that that is just a method of killing the entire measure and I think that it has merit and it should be passed."

Further debate ensued.

Senator Atwood demanded a roll call and the demand was sustained by Senators Woodall, Peterson (Ted), Matson, Washington, Stender, Metcalf, Clarke, Jones and Newschwander.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Grant carried and the Senate receded from the Senate amendment to page 1, section 1, line 20 by the following vote: Yeas, 26; nays, 20; absent or not voting, 3.

Voting yea: Senators Bailey, Bottiger, Conner, Day, Donohue, Dore, Fleming, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Washington, Woody—26.

Voting nay: Senators Atwood, Canfield, Clarke, Gardner, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—20.

Absent or not voting: Senators Durkan, Francis, Walgren—3.

#### MOTION

On motion of Senator Peterson (Lowell), Senator Walgren was excused.

The President declared the question before the Senate to be final passage of Engrossed House Bill No. 34, without the Senate amendment to page 1, section 1, line 20.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 34, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Washington, Woody—29.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—19.

Excused: Senator Walgren—1.

ENGROSSED HOUSE BILL NO. 34, 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 Tuesday, March 6, 1973, the House message on Engrossed House Bill No. 601 refusing to concur in the Senate amendment and asking the Senate to recede was considered. Senator Grant moved on that day that the Senate do recede from the Senate amendment.

The President declared the question before the Senate to be the motion by Senator Grant that the Senate do recede from the Senate amendment to Engrossed House Bill No. 601.

Debate ensued.

There being no objection, the motion by Senator Grant was withdrawn.

#### MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendment and asks the House for a conference thereon.

#### MESSAGE FROM THE HOUSE

March 6, 1973.

Mr. President: The House refuses to concur in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 176, and asks the Senate to recede therefrom, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate receded from the Senate amendments to Second Substitute House Bill No. 176.

#### ROLL CALL

The Secretary called the roll and Second Substitute House Bill No. 176, without the Senate amendments, passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Connor, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Stender, Stortini, Talley, Van Hollebeke, Woody—25.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Guss, Jolly, Jones, Lewis (Harry), Lewis (Bob), Metcalf, Murray, Rasmussen, Sandison, Scott, Sellar, Twigg, Wanamaker, Washington, Whetzel, Woodall—23.

Excused: Senator Walgren—1.

SECOND SUBSTITUTE HOUSE BILL NO. 176, without the Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 6, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 381, except the following amendment:

On page 7, section 17, line 33, strike the period and insert “: PROVIDED, That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purposes of this 1973 act.” and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Washington, the Senate receded from the Senate amendment to page 7, section 17, line 33 to Engrossed House Bill No. 381.



## ROLL CALL

The Secretary called the roll and Engrossed House Bill No. 381, as amended by the Senate, passed the Senate by the following vote: Yeas, 30; nays, 17; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Ridder, Sandison, Stender, Stortini, Talley, Van Hollebeke, Washington, Whetzel, Woody—30.

Voting nay: Senators Atwood, Clarke, Durkan, Guess, Jones, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Scott, Sellar, Twigg, Wanamaker, Woodall—17.

Absent or not voting: Senator Lewis (Harry)—1.

Excused: Senator Walgren—1.

ENGROSSED HOUSE BILL NO. 381, 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 HOUSE

March 6, 1973.

Mr. President: The House refuses to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 729, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Washington, the Senate receded from the Senate amendment to Engrossed House Bill No. 729.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 729, without the Senate amendment, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Connor, Lewis (Harry)—2.

Excused: Senator Walgren—1.

ENGROSSED HOUSE BILL NO. 729, without the 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.

## CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Atwood, the appointment of WALLACE J. MILLER as Director of the Office of Program Planning and Fiscal Management was confirmed.

## APPOINTMENT OF WALLACE J. MILLER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Lewis (Harry)—1.

## MOTION

On motion of Senator Sandison, the appointment of MRS. JEAN BAKKE as a member of the State Board for Community College Education was confirmed.

## APPOINTMENT OF MRS. JEAN BAKKE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Bottiger and Lewis (Harry)—2.

## MOTION

On motion of Senator Sandison, the appointment of JOHN L. HAGENSEN as a member of the State Board for Community College Education was confirmed.

## APPOINTMENT OF JOHN L. HAGENSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Atwood, Bottiger and Lewis (Harry)—3.

## MOTION

On motion of Senator Sandison, the appointment of MRS. TAD H. WADA as a member of the Council on Higher Education was confirmed.

## APPOINTMENT OF MRS. TAD H. WADA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe,

Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Bottiger, Jones and Lewis (Harry)—3.

#### MOTION

On motion of Senator Sandison, the appointment of RICHARD ALBRECHT as a member of the Council on Higher Education was confirmed.

#### APPOINTMENT OF RICHARD ALBRECHT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Lewis (Harry)—1.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Durkan yield? Senator Durkan, you said 'in the coming days.' In other words, you do not intend to run Substitute Senate Bill No. 2247 this session?"

Senator Durkan: "My position is, Senator, if we can get a consensus of opinion I would be willing to do it, but until such time as we do, my position simply is that I am not going to try and jam any bill through. I am hopeful that we will have an opportunity to examine it and if the Senate thinks that we could do it in a half a day or a day and a half, I will be very glad to accommodate them."

Senator Woodall: "Well, of course, I am not interested in the speedy advancement of this thing, but what I wanted to know is, do you have any little inside information you might now share with us as to the probable date of the special session?"

Senator Durkan: "Senator, on the first day of the session I happened to pass Governor Evans in the hall and I said 'Hello' and I have not seen him since."

#### MOTION

At 11:00 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, March 8, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**SIXTIETH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Thursday, March 8, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages William Orth and Terri Orth, presented the Colors. Reverend Charles Loyer, pastor of Westminster Presbyterian Church of Olympia, offered the following prayer:

“ALMIGHTY GOD AND FATHER WHO KNOWS ALL THINGS, BE WITH THE LEGISLATORS WHO ARE EXPECTED TO BUT CANNOT. GIVE THE SENATORS THIS DAY A TRUE SENSE OF THE DIRECTION THEY SHOULD TAKE, SUPPLY THEM WITH RELIABLE FACTS, AND ENABLE THEM TO ENACT LEGISLATION BOTH RESPONSIBLE AND CREATIVE. BE ALSO WITH US CONSTITUENTS WHO ENJOY THE DETACHMENT BUT SUFFER THE FRUSTRATIONS OF SIDEWALK SUPERINTENDENTS. HELP US TO BE LESS EMOTIONAL AND MORE KNOWLEDGEABLE IN OUR POLITICAL OPINIONS. ENABLE US TO RISE ABOVE PERSONAL INTEREST THAT WE MAY ENCOURAGE OUR LEGISLATORS IN THEIR SHOW OF CONCERN FOR THE TROUBLED AREAS OF OUR ECONOMIC AND SOCIAL WORLD. AMEN.”

**MOTION**

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

**MESSAGES FROM THE GOVERNOR**

Office of the Governor, March 7, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 6, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2048: Changing the control period for destruction of court records.

SENATE BILL NO. 2056: Increasing the mandatory minimum liability insurance requirements for operators of vehicles for hire.

SENATE BILL NO. 2080: Amending the law relating to fees of superior court clerks.

SENATE BILL NO. 2081: Providing for the adoption of the uniform management of the institutional funds act.

SENATE BILL NO. 2082: Establishing a position for a county clerk on the judicial council.

SENATE BILL NO. 2100: Correcting code error in methods upon increasing number of school directors in consolidated districts.

SENATE BILL NO. 2125: Setting standards for granting furloughs to prisoners.

SENATE BILL NO. 2240: Establishing hearing procedures for return of out-of-state parole violators.

SENATE BILL NO. 2282: Providing interpreters in legal proceedings to certain persons with speech or hearing impairments.

SENATE BILL NO. 2358: Permitting public employees' retirement system contributions for classified employees working on nine month basis as if they were working twelve months.

SUBSTITUTE SENATE BILL NO. 2362: Providing a life insurance benefit program for employees of sewer and water districts.

SENATE BILL NO. 2588: Making department of revenue records relating to escheats of property available for public inspection.

SUBSTITUTE SENATE BILL NO. 2784: Authorizing exchange of certain lands held by the department of natural resources for lands held by Mason county.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, March 7, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 7, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2331: Implementing the law relating to joint school districts.

SENATE BILL NO. 2592: Prohibiting certain discrimination against licensed optometrists.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

#### GUBERNATORIAL APPOINTMENTS

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

MRS. CHARLOTTE CHALKER, appointed February 5, 1973 for a term ending April 3, 1974, succeeding Mrs. Jack Erickson, as a member of the Board of Trustees of Fort Steilacoom Community College, District No. 11.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education.

Office of the Governor, March 6, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: PHILLIP NUDELMAN, appointed January 26, 1973 for a term ending January 18, 1977, succeeding Donald E. Kusler as a member of the State Board of Pharmacy.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Social and Health Services.

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: MRS. KAY GREEN, appointed February 19, 1973 for a term ending December 31, 1978, succeeding Eleanor Berger, as a member of the Parks and Recreation Commission of Washington State.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Parks and Recreation.

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: ROBERT B. THOMPSON, appointed January 29, 1973 for a term ending April 3, 1973, succeeding Ernest Hamilton as a member of the Board of Trustees of Centralia Community College, District No. 12.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to Committee on Higher Education

#### MESSAGE FROM THE HOUSE

March 7, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, and has granted said committee the powers of Free Conference.

DONALD R. WILSON, Assistant Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

March 6, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTI-

TUTE SENATE BILL NO. 2113, establishing a state hospital commission to study hospital costs and approve hospital rates, have had the same under consideration and we recommend that the Senate accept the House amendments but respectfully request the powers of Free Conference for the purpose of restoring a stricken Senate amendment and two technical matters concerning confirmation and the revolving fund in addition as follows:

That the Senate concur in the House amendments to page 2, section 5, beginning on line 32, and to page 3, section 7, beginning on line 31, and that the following sentence be added to the remaining House amendment to page 2, section 4, beginning on line 16: "In cases when proposed rate increases for osteopathic hospitals are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace a hospital representative on the commission."

We also recommend that the bill be further amended as follows:

On page 3, section 5, beginning on line 14, after the period following "convenes" strike the balance of the section.

On page 12, section 18, line 15, strike "public service revolving fund in accordance with chapter 80.24 RCW" and insert "hospital commission account in the general fund which is hereby created".

Signed by: Senators Day and Wanamaker; Representatives Adams, Parker and Polk.

#### MOTION

On motion of Senator Bailey, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### MESSAGES FROM THE HOUSE

March 7, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 18, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The House has passed HOUSE JOINT MEMORIAL NO. 14, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2275, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 706,  
ENGROSSED HOUSE BILL NO. 736, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 287, and the amendment thereto, and the Speaker has appointed as members of the Conference Committee thereon: Representatives Van Dyk, Thompson and Hayner.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 34,  
 SECOND SUBSTITUTE HOUSE BILL NO. 176,  
 HOUSE BILL NO. 381,  
 HOUSE BILL NO. 729, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 7, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 217,  
 HOUSE BILL NO. 462,  
 HOUSE BILL NO. 594, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 7, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 48,  
 HOUSE BILL NO. 60,  
 HOUSE BILL NO. 75,  
 HOUSE BILL NO. 79,  
 HOUSE BILL NO. 98,  
 HOUSE BILL NO. 128,  
 HOUSE BILL NO. 130,  
 HOUSE BILL NO. 134,  
 HOUSE BILL NO. 163,  
 HOUSE BILL NO. 224,  
 HOUSE BILL NO. 262,  
 HOUSE BILL NO. 337,  
 HOUSE BILL NO. 342,  
 HOUSE BILL NO. 359,  
 HOUSE BILL NO. 396,  
 HOUSE BILL NO. 397,  
 HOUSE BILL NO. 402,  
 HOUSE BILL NO. 489,  
 HOUSE BILL NO. 504,  
 HOUSE BILL NO. 567,  
 HOUSE BILL NO. 580,  
 HOUSE BILL NO. 645,  
 HOUSE BILL NO. 652, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 7, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2008,  
 SENATE BILL NO. 2258,  
 SENATE BILL NO. 2327, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 7, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED  
 HOUSE BILL NO. 34, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 7, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED  
 HOUSE BILL NO. 381, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.



## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2275,  
 HOUSE BILL NO. 34,  
 HOUSE BILL NO. 48,  
 HOUSE BILL NO. 60,  
 HOUSE BILL NO. 75,  
 HOUSE BILL NO. 79,  
 HOUSE BILL NO. 98,  
 HOUSE BILL NO. 128,  
 HOUSE BILL NO. 130,  
 HOUSE BILL NO. 134,  
 HOUSE BILL NO. 163,  
 SECOND SUBSTITUTE HOUSE BILL NO. 176,  
 HOUSE BILL NO. 217,  
 HOUSE BILL NO. 224,  
 HOUSE BILL NO. 262,  
 HOUSE BILL NO. 337,  
 HOUSE BILL NO. 342,  
 HOUSE BILL NO. 359,  
 HOUSE BILL NO. 381,  
 HOUSE BILL NO. 396,  
 HOUSE BILL NO. 397,  
 HOUSE BILL NO. 402,  
 HOUSE BILL NO. 462,  
 HOUSE BILL NO. 489,  
 HOUSE BILL NO. 504,  
 HOUSE BILL NO. 567,  
 HOUSE BILL NO. 580,  
 HOUSE BILL NO. 594,  
 HOUSE BILL NO. 645,  
 HOUSE BILL NO. 652,  
 HOUSE BILL NO. 729.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 117, by Senators Greive, Ridder, Stortini, Connor, Knoblauch, Van Hollebeke, Washington, Francis, Fleming and Gardner:

Providing for a new joint rule relating to conference committees.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Concurrent Resolution No. 117.

Referred to the Committee on Rules.

ENGROSSED HOUSE BILL NO. 706, by Representative Randall:

Requiring assessors to add to the assessment list the omitted value of personal property.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 736, by Representatives Bausch, Anderson and Hendricks:

Establishing base year formula for certain tax districts' excess levies.

Referred to Committee on Ways and Means.

HOUSE JOINT MEMORIAL NO. 14, by Representatives Chatalas, Bausch, Hendricks, Zimmerman, Conner, Ceccarelli, Beck, Adams, Williams, Thompson, Rabel, Luders, Douthwaite, Lysen, Barden, Kraebel, King, North (Lois), Blair, O'Brien and Charnley:

Providing funding for the wildlife refuge on the Nisqually Delta.

Referred to Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 18, by Representatives Luder, Bagnariol, Adams, Perry, Charette, Kopet, Barden, Kuehnle, Knowles, Curtis, Randall, Shinpoch, Kilbury, Schumaker, Bauer, Hurley, Van Dyk, Polk, Cunningham, Garrett, Hendricks, Gilleland, Ceccarelli and Laughlin:

Resolving that the department of social and health services proceed with a work incentive program.

Referred to Committee on Social and Health Services.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 1:30 p.m.

#### MOTION

Senator Rasmussen moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-32

By Senators Rasmussen, Walgren and Mardesich:

WHEREAS, Conditions are continually changing with respect to the use of railroad bridges and trestles constructed and maintained by railroads in this state; and

WHEREAS, Employee safety needs are of paramount importance to the people of this state; and

WHEREAS, Concern for railroad employee safety dictates the need for investigation of employee foot walkways on railroad bridges and trestles;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests that the Utilities and Transportation Commission undertake a study of the need for employee walkways on railroad bridges and trestles.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to any extraordinary session of the legislature convened in 1974 and, if no session is convened in 1974, then to the next regular session of the legislature.

On motion of Senator Walgren, the following amendment was adopted:

On page 1, line 10, after "Commission" and before "undertake" insert "in cooperation with the Joint Committee on Transportation or the Senate Standing Committee on Transportation and Utilities".

The motion by Senator Rasmussen carried and the resolution, as amended, was adopted.

#### MOTION

On motion of Senator Mardesich, the Senate returned to the sixth order of business.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 54, by Representatives Newhouse, Randall and North (Lois) (by Legislative Council request):

Exempting from taxation certain vehicle parts, equipment, furnishings, and accessories during construction process.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 54 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 54, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Knoblauch—1.

Absent or not voting: Senators Bottiger, Matson, Sandison—3.

ENGROSSED HOUSE BILL NO. 54, having received the 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

At 1:50 p.m., on motion of Senator Bailey, the Senate recessed until 4:00 p.m.

#### SECOND AFTERNOON SESSION

The President called the Senate to order at 4:00 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 5:35 p.m.

There being no objection, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 118, by Senators Bailey and Mardesich: Legislative bills, retransmittal and retained.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 118 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 118 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### MOTION

On motion of Senator Bailey, the following resolution was adopted:

#### SENATE RESOLUTION 1973-33

By Senator Bailey:

WHEREAS, The Forty-third Regular Session of the Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the Forty-third regular session and the commencement of the Forty-fourth session;

NOW, THEREFORE, BE IT RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to complete the work of the session, to reply to and give necessary attention to correspondence and other details arising therefrom; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee that existed under Senate Resolution 1971-Ex. 114 is hereby re-established with the authority therein granted, and that the President shall appoint the new members prior to adjournment sine die.

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Chairman of the Senate Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor as the Secretary of the Senate and the Chairman of the Senate Operations Committee shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to have a copy of the Senate Journal of the Forty-third regular session of the legislature, together with a suitable index therefor, prepared by the State Printer; and

BE IT FURTHER RESOLVED, That after the close of the session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this Forty-third legislative session in closing the business of such session, in providing for the interim period between the closing of such session and the convening of the next regular or special session of the legislature and in the preparation for such convening; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to see that the Senate Chambers and adjoining rooms, furniture and equipment are clean and in good order; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers in the event of a bereavement in a Senator's family; and

BE IT FURTHER RESOLVED, That such use of the chamber rooms for a Y.M.C.A. Youth Legislature is permitted upon such terms as the Secretary shall deem proper; and

BE IT FURTHER RESOLVED, That all accounts payable incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses of the Forty-third legislature of the state of Washington, and which are presented for payment after adjournment of the Forty-third Regular Session of the Legislature, before payment is authorized, must bear the approval of the President or President Pro Tempore of the Senate and the Secretary of the Senate.

#### APPOINTMENT OF SENATE FACILITIES AND OPERATION COMMITTEE

Under the provisions of Senate Resolution 1973-33, the President appointed Senators Bailey, Sandison, Mardesich, Atwood and Lewis (Harry) as members of the Senate Facilities and Operation Committee.

#### MOTION

On motion of Senator Bailey, the appointments were confirmed.  
There being no objection, the Senate returned to the fourth order of business.

#### MESSAGES FROM THE HOUSE

March 8, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 54, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 8, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2275, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 119, by Senators Bailey and Mardesich: Appointing of committee to notify the Governor of the legislature's adjournment SINE DIE.

On motion of Senator Mardesich, the rules were suspended, Senate Concurrent Resolution No. 119 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, the rules were suspended, Senate Concurrent Resolution No. 119 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 119, the President appointed Senators Bailey, Atwood and Mardesich as a committee of three from the Senate to join a committee from the House to notify the Governor that the legislature was about to adjourn SINE DIE.

MOTION

On motion of Senator Mardesich, the appointments were confirmed.

SIGNED BY THE PRESIDENT

The President signed:  
HOUSE BILL NO. 54.

MOTION

On motion of Senator Walgren, the following resolution was adopted:

SENATE RESOLUTION 1973-34

By Senator Mardesich:  
BE IT RESOLVED, That a committee of three members of the Senate is appointed to notify the House that the Senate is ready to adjourn SINE DIE.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1973-34, the President appointed Senators Grant, Wanamaker and Bottiger to serve as a committee of three to notify the House that the Senate is ready to adjourn SINE DIE.

MOTION

On motion of Senator Walgren, the appointments were confirmed.  
There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

March 8, 1973.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 118, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 8, 1973.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 119, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 118,  
SENATE CONCURRENT RESOLUTION NO. 119.

## MESSAGES FROM THE HOUSE

March 8, 1973.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 118, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 8, 1973.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 119, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 8, 1973.

Mr. President: Under the provisions of Senate Concurrent Resolution No. 118, the House herewith returns the following Senate bills:

ENGROSSED SENATE BILL NO. 2004,  
ENGROSSED SENATE BILL NO. 2006,  
ENGROSSED SENATE BILL NO. 2007,  
SENATE BILL NO. 2017,  
SENATE BILL NO. 2025,  
SUBSTITUTE SENATE BILL NO. 2037,  
SENATE BILL NO. 2054,  
ENGROSSED SENATE BILL NO. 2058,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2066,  
SENATE BILL NO. 2067,  
ENGROSSED SENATE BILL NO. 2069,  
ENGROSSED SENATE BILL NO. 2071,  
SENATE BILL NO. 2073,  
ENGROSSED SENATE BILL NO. 2077,  
ENGROSSED SENATE BILL NO. 2078,  
SENATE BILL NO. 2084,  
ENGROSSED SENATE BILL NO. 2136,  
ENGROSSED SENATE BILL NO. 2146,  
SENATE BILL NO. 2174,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2175,  
SENATE BILL NO. 2176,  
ENGROSSED SENATE BILL NO. 2196,  
ENGROSSED SENATE BILL NO. 2220,  
ENGROSSED SENATE BILL NO. 2235,  
ENGROSSED SENATE BILL NO. 2248,  
ENGROSSED SENATE BILL NO. 2278,  
ENGROSSED SENATE BILL NO. 2287,  
SENATE BILL NO. 2293,  
SENATE BILL NO. 2309,  
ENGROSSED SENATE BILL NO. 2311,  
ENGROSSED SENATE BILL NO. 2317,

SENATE BILL NO. 2324,  
 SENATE BILL NO. 2329,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2336,  
 ENGROSSED SENATE BILL NO. 2339,  
 ENGROSSED SENATE BILL NO. 2345,  
 ENGROSSED SENATE BILL NO. 2347,  
 ENGROSSED SENATE BILL NO. 2361,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2365,  
 ENGROSSED SENATE BILL NO. 2378,  
 SENATE BILL NO. 2391,  
 ENGROSSED SENATE BILL NO. 2438,  
 ENGROSSED SENATE BILL NO. 2453,  
 SENATE BILL NO. 2480,  
 ENGROSSED SENATE BILL NO. 2504, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 8, 1973.

Mr. President: Under the provisions of Senate Concurrent Resolution No. 118, the House herewith returns the following Senate bills:

SENATE BILL NO. 2517,  
 SENATE BILL NO. 2522,  
 SENATE BILL NO. 2552,  
 ENGROSSED SENATE BILL NO. 2577,  
 ENGROSSED SENATE BILL NO. 2675,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2740,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2800,  
 ENGROSSED SENATE BILL NO. 2803,  
 SENATE JOINT MEMORIAL NO. 102,  
 SENATE JOINT MEMORIAL NO. 106,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 107,  
 ENGROSSED SENATE JOINT RESOLUTION NO. 103,  
 ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 104,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 110,  
 SENATE CONCURRENT RESOLUTION NO. 111, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 8, 1973.

Mr. President: Under the provisions of Senate Concurrent Resolution No. 118, the House herewith returns the following Senate bills:

ENGROSSED SENATE BILL NO. 2096,  
 ENGROSSED SENATE BILL NO. 2111, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

There being no objection, the Senate returned to the third order of business.

#### MESSAGE FROM THE SECRETARY OF STATE

March 9, 1973.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,  
 THE LEGISLATURE OF THE STATE OF WASHINGTON,  
 OLYMPIA, WASHINGTON.

MR. PRESIDENT:

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of

the Seal of the said State, do hereby certify that: I have carefully compared the annexed copy of a proclamation by the Governor calling an extraordinary session of the Legislature to convene on the 9th day of March, 1973 with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the seal of the state of Washington. Done at the Capitol at Olympia on this the date of March 9, 1973.  
(Seal of the State of Washington)

A. LUDLOW KRAMER  
Secretary of State.

#### PROCLAMATION BY THE GOVERNOR

Office of the Governor, March 8, 1973.

The 1973 Session of the Washington State Legislature now has before it substantial legislation of importance to the citizens of our state. This is now the sixtieth day and much of the legislative work required by the people remains unfinished. While final action on many issues has not been taken, the committees and both houses have considered many bills which can be acted upon during an extraordinary session.

The areas of major concern toward which the Legislature should direct its actions include:

1. *Tax Reform.* Once again tax reform is the major issue needing legislative action. It is absolutely vital that provision be made for dependable and adequate school funding and that the tax system be structured equitably for all the citizens in the state. The Legislature should dedicate itself to the resolution of this most important issue.
2. *Fiscal and Financial Affairs.* It is of paramount importance that the Legislature adopt a complete, comprehensive and balanced budget for the 1973-75 biennium. In addition, there are several major proposals needing action which would substantially restructure the property tax system, including a measure to place a limit on property taxes related to the income a person earns.
3. *Governmental Affairs.* The Legislature has before it measures to create a Department of Transportation and a Department of Consumer Affairs. Additionally, the Legislature should consider the bill providing for transportation funding through the gas tax. The future of transportation becomes an increasingly critical issue as the nation's energy reserves dwindle and the transportation needs of the people increase. These measures deserve thorough consideration by the Legislature.
4. *Social Issues.* Important legislation is still pending which is designed to restructure and modernize state laws relative to commitment of persons for mental illness. The Legislature needs also to consider proposals to adopt a statewide building code and to provide new methods of computing unemployment compensation for persons employed only part-time.
5. *Law and Justice.* The Legislature has not yet acted upon legislation to provide compensation to victims of crime. Additionally, there remain other major issues to be dealt with in this area including a probation subsidy program for adult offenders, reorganization of the parole decision-making process, provision of a statewide medical examiner system, enactment of a juvenile court code, and adoption of standards for city and county jails.
6. *Citizen and Consumer Affairs.* The Legislature has yet to adopt a modern landlord-tenant act or provide for a system of no-fault insurance. Action is still pending on ratification of the federal constitutional amendment providing equal rights for women. In addition, major proposals for the protection of the consumer have yet to be considered. These measures are vital to citizens of our state and deserve consideration.
7. *Environment.* Substantial issues regarding our environment still face us. Action should be taken to provide funds to clean up oil spills and protect our shorelines. Also, there is need for providing a method of coordinating the various regulatory systems that protect the environment.



As a result of these conditions, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the State of Washington.

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the State of Washington in Extraordinary Session in the Capitol at Olympia on the ninth day of March, A.D. 1973, at the hour of nine o'clock a.m., and

I DO HEREBY SPECIFY, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To appropriate sufficient funds, and raise sufficient revenues, to carry on the necessary functions and services of state government; and

To consider the enactment of the several other measures specified above for the benefit of the people of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 8th day of March, A.D. Nineteen Hundred and Seventy-Three.

DANIEL J. EVANS  
Governor of Washington.

BY THE GOVERNOR:

A. LUDLOW KRAMER  
Secretary of State.

(SEAL OF THE STATE OF WASHINGTON)

#### COMMITTEE FROM THE HOUSE

The Sergeant at Arms announced the arrival of a committee from the House of Representatives. The committee from the House comprised of Representatives Moon, Barden and Gaspard appeared before the bar of the Senate to notify the Senate that the House was about to adjourn SINE DIE.

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

#### REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Grant, Wanamaker and Bottiger appointed to notify the House that the Senate was ready to adjourn SINE DIE reported that the House had been notified.

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Atwood, Bailey and Mardesich appointed to notify the Governor that the legislature was about to adjourn SINE DIE, appeared before the bar of the Senate and reported that the committee had so notified the Governor and the Governor was willing that the legislature adjourn SINE DIE.

The report was received and the committee was discharged.

#### PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, the President at this time during the lull in the proceedings wishes to express his deepest appreciation and gratitude for the wonderful manner in which you have conducted yourselves and the many kindnesses and courtesies that you have shown the President, the principal one being the fact that you have overlooked a number of errors and possible mistakes which were possibly unintentional."

#### REMARKS BY SENATOR WOODALL

Senator Woodall: "I never noticed too many mistakes myself, but there was that little matter about not swearing someone in over there, but I am not sure that is a mistake."

## PRESIDENT'S PRIVILEGE

The President: "Esteemed members, the members of the Senate join with the President, I am sure, in expressing our sincere appreciation and gratitude to our friendly and affable and capable Secretary of the Senate, his wonderful staff who have conducted their affairs in their own inimitably capable style, and all of the various personnel on the various staffs, secretarial, etc., etc., etc."

## MOTIONS

On motion of Senator Mardesich, the Senate Journal of the Sixtieth Day, Forty-third Legislature, was approved.

At 6:10 p.m., on motion of Senator Mardesich, the Senate of the Forty-third Legislature, adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SENATE JOURNAL  
OF THE  
First Extraordinary Session  
Forty-Third Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened March 9, 1973  
Adjourned Sine Die April 15, 1973

Compiled, Edited and Indexed by  
SIDNEY R. SNYDER, *Secretary of the Senate*



DOROTHY GREELEY, *Journal Clerk*

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JOHN A. CHERBERG, *President of the Senate*  
AL HENRY, *President Pro Tempore*  
JAMES E. KEEFE, *Vice President Pro Tempore*

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## SENATE CAUCUS OFFICERS

### DEMOCRATIC CAUCUS

ROBERT C. BAILEY, *Chairman*  
GEORGE FLEMING, *Vice Chairman/Secretary*  
AUGUST P. MARDESICH, *Floor Leader*  
GORDON L. WALGREN, *Majority Whip*

### REPUBLICAN CAUCUS

R. FRANK ATWOOD, *Chairman*  
JIM MATSON, *Vice Chairman/Secretary*  
HARRY B. LEWIS, *Floor Leader*  
CHARLES NEWSCHWANDER, *Assistant Floor Leader*  
GEORGE SCOTT, *Minority Whip*

BILL GLEASON, *Assistant Secretary*  
CHARLES L. R. JOHNSON, *Sergeant at Arms*  
FLORENCE T. Kenderesi, *Secretary to the Secretary*  
VERNE SAWYER, *Reader*  
DOROTHY GREELEY, *Minute Clerk*

# JOURNAL OF THE SENATE

## STATE OF WASHINGTON

### FIRST EXTRAORDINARY SESSION of the FORTY-THIRD LEGISLATURE

#### FIRST DAY

##### MORNING SESSION

Senate Chamber, Olympia, Wash, Friday, March 9, 1973.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Kevin Van Hollebeke and Susan Dooly, presented the Colors. Reverend Charles Loyer, pastor, Westminster Presbyterian Church of Olympia, offered the following prayer:

"ETERNAL GOD AND FATHER, WE THANK YOU FOR THE REST OF THE NIGHT AND THE PROMISE OF A NEW DAY. GRANT TO EACH OF US THAT INNER SERENITY WHICH MAKES FOR ORDERLINESS OF MIND AND OBJECTIVITY OF DECISION. HELP US SO TO EMPLOY OUR TALENTS THAT WE SHALL MERIT THE COMMENDATION OF THOSE WE SEEK TO SERVE. GUIDE THE LEGISLATORS AT THEIR WORK. GRANT THAT THE BI-PARTISAN EFFORT OF THE SPECIAL SESSION MAY BE NOTABLY OUTSTANDING FOR ITS GREAT INSIGHTS AND WISE DECISIONS. AMEN."

##### MESSAGE FROM THE SECRETARY OF STATE

March 9, 1973.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

MR. PRESIDENT:

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of the Seal of the said State, do hereby certify that: I have carefully compared the annexed

copy of a proclamation by the Governor calling an extraordinary session of the Legislature to convene on the 9th day of March, 1973 with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the seal of the state of Washington. Done at the Capitol at Olympia on this the date of March 9, 1973.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State.

### PROCLAMATION BY THE GOVERNOR

Office of the Governor, March 8, 1973.

The 1973 Session of the Washington State Legislature now has before it substantial legislation of importance to the citizens of our state. This is now the sixtieth day and much of the legislative work required by the people remains unfinished. While final action on many issues has not been taken, the committees and both houses have considered many bills which can be acted upon during an extraordinary session.

The areas of major concern toward which the Legislature should direct its actions include:

1. *Tax Reform.* Once again tax reform is the major issue needing legislative action. It is absolutely vital that provision be made for dependable and adequate school funding and that the tax system be structured equitably for all the citizens in the state. The Legislature should dedicate itself to the resolution of this most important issue.
2. *Fiscal and Financial Affairs.* It is of paramount importance that the Legislature adopt a complete, comprehensive and balanced budget for the 1973-75 biennium. In addition, there are several major proposals needing action which would substantially restructure the property tax system, including a measure to place a limit on property taxes related to the income a person earns.
3. *Governmental Affairs.* The Legislature has before it measures to create a Department of Transportation and a Department of Consumer Affairs. Additionally, the Legislature should consider the bill providing for transportation funding through the gas tax. The future of transportation becomes an increasingly critical issue as the nation's energy reserves dwindle and the transportation needs of the people increase. These measures deserve thorough consideration by the Legislature.
4. *Social Issues.* Important legislation is still pending which is designed to restructure and modernize state laws relative to commitment of persons for mental illness. The Legislature needs also to consider proposals to adopt a statewide building code and to provide new methods of computing unemployment compensation for persons employed only part-time.
5. *Law and Justice.* The Legislature has not yet acted upon legislation to provide compensation to victims of crime. Additionally, there remain other major issues to be dealt with in this area including a probation subsidy program for adult offenders, reorganization of the parole decision-making process, provision of a statewide medical examiner system, enactment of a juvenile court code, and adoption of standards for city and county jails.
6. *Citizen and Consumer Affairs.* The Legislature has yet to adopt a modern landlord-tenant act or provide for a system of no-fault insurance. Action is still pending on ratification of the federal constitutional amendment providing equal rights for women. In addition, major proposals for the protection of the consumer have yet to be considered. These measures are vital to citizens of our state and deserve consideration.
7. *Environment.* Substantial issues regarding our environment still face us. Action should be taken to provide funds to clean up oil spills and protect our shorelines. Also, there is need for providing a method of coordinating the various regulatory systems that protect the environment.

As a result of these conditions, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the State of Washington.

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the State of Washington in Extraordinary Session in the Capitol at Olympia on the ninth day of March, A.D. 1973, at the hour of nine o'clock a.m., and

I DO HEREBY SPECIFY, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To appropriate sufficient funds, and raise sufficient revenues, to carry on the necessary functions and services of state government; and

To consider the enactment of the several other measures specified above for the benefit of the people of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 8th day of March, A.D. Nineteen Hundred and Seventy-Three.

DANIEL J. EVANS  
Governor of Washington.

BY THE GOVERNOR:  
A. LUDLOW KRAMER  
Secretary of State.

(SEAL OF THE STATE OF WASHINGTON)

#### MOTION

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-35

By Senators Bailey and Atwood:

WHEREAS, The offices of President Pro Tempore of the Senate, Vice President Pro Tempore, Secretary of the Senate and Sergeant at Arms of the Senate were filled by competent persons during the forty-third regular session of the legislature; and

WHEREAS, These officers served in a distinguished and satisfactory manner; and

WHEREAS, The standing committees of the Senate were formed and operated properly and efficiently during the forty-third regular session of the legislature;

NOW, THEREFORE, BE IT RESOLVED, That said officers, committee chairmen and committee members of the said regular session shall constitute the officers and committees of the extraordinary session of the forty-third legislature.

#### MOTION

On motion of Senator Mardesich, the following resolution was adopted:

#### SENATE RESOLUTION 1973-36

By Senators Mardesich and Lewis (Harry):

BE IT RESOLVED, That a committee of three members be named by the President of the Senate to inform the House that the Senate is organized and ready to transact the business of the extraordinary session of the forty-third legislature.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Talley, Woodall and Washington to serve as a committee to notify the House that the Senate is organized and ready to transact business.

## JOURNAL OF THE SENATE

## MOTION

On motion of Senator Mardesich, the committee appointments were confirmed.  
The committee retired to the House.

## COMMITTEE FROM THE HOUSE

A committee from the House consisting of Representatives North, McCormick and Valle appeared before the bar of the Senate to notify the Senate that the House was organized and ready to transact business.

The report was received and the committee retired.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 120, by Senators Bailey and Atwood:  
Providing for reintroduction of bills and adopting the joint rules.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 120 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 120 was advanced to third reading and adopted.

## THIRD READING

ENGROSSED SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

Providing for a state lottery.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2004, and the bill passed the Senate by the following vote: Yeas, 32; nays, 17.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Woodall, Woody—32.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jolly, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Sellar, Stender, Walgren, Wanamaker, Washington, Whetzel—17.

ENGROSSED SENATE BILL NO. 2004, having received the constitutional 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. 2006, by Senators Peterson (Lowell) and Talley:  
Providing for loss of hunting license for unlawfully killing certain wildlife.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2006, and the bill passed the Senate by the following vote: Yeas, 44; nays, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar,



Stender, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senators Fleming, Grant, Odegaard, Ridder, Van Hollebeke—5.

ENGROSSED SENATE BILL NO. 2006, having received the constitutional 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. 2007, by Senators Rasmussen and Newschwander: Exempting real property used for exhibiting art, scientific, or historical collections from property taxation.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2007, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senators Francis, Walgren—2.

ENGROSSED SENATE BILL NO. 2007, having received the 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. 2017, by Senators Bailey, Durkan, Peterson (Ted), Rasmussen and Washington (by State Treasurer request):

Making certain changes in the veterans bonus law.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2017, and the bill passed the Senate by the following vote: Yeas, 36; nays, 13.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—36.

Voting nay: Senators Atwood, Clarke, Guess, Herr, Jones, Lewis (Bob), Murray, Ridder, Scott, Sellar, Stender, Wanamaker, Whetzel—13.

SENATE BILL NO. 2017, having received the 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. 2025, by Senator Walgren:

Changing the amount of money which may be disbursed in the case of a death of a resident at a state institution.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2025, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-47.

Voting nay: Senators Newschwander, Whetzel-2.

SENATE BILL NO. 2025, having received the 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. 2037, by Committee on Transportation and Utilities (originally sponsored by Senators Donohue, Henry, Walgren and Jolly by Legislative Transportation Committee request):

Regulating the movement of farm vehicles and implements.

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

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2037, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

SUBSTITUTE SENATE BILL NO. 2037, having received the 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. 2054, by Senators Henry and Wanamaker (by Department of Motor Vehicles request):

Providing a ten dollar fee for reinstatement of drivers' licenses.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2054, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Voting nay: Senators Grant, Stender-2.

SENATE BILL NO. 2054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senator Stender was excused.

ENGROSSED SENATE BILL NO. 2058, by Senators Bottiger, Henry and Woodall (by Legislative Council request):

Permitting service of traffic citations for offenses not witnessed by citing officer.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2058, and the bill passed the Senate by the following vote: Yeas, 43; nays, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Dore, Durkan, Fleming, Grant, Talley—5.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2058, having received the constitutional 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. 2066, by Committee on State Government (originally sponsored by Senators Durkan, Newschwander, Gardner, Marsh and Canfield):

Modifying insurance programs for state employees and expanding the state employees insurance board.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2066, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, having received the 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. 2067, by Senators Rasmussen, Odegaard and Gardner:

Abolishing mobile home I.D. tags.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2067, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison,

Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Francis—1.

SENATE BILL NO. 2067, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senator Stender was excused.

ENGROSSED SENATE BILL NO. 2069, by Senators Marsh, Francis, Woodall and Woody:

Permitting defense counsel payments in justice courts.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2069, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2069, having received the constitutional 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. 2071, by Senators Marsh, Talley and Herr:

Establishing an additional justice of the peace in specified districts.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2071, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; excused, 1.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Greive, Henry, Herr, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Voting nay: Senators Bailey, Donohue, Fleming, Grant, Guess, Jolly, Jones, Sellar—8.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2071, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2073, by Senator Atwood:

Directing codification of section 12, Laws of 1969 ex. sess.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2073, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

SENATE BILL NO. 2073, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senators Scott and Stender were excused.

ENGROSSED SENATE BILL NO. 2077, by Senators Woodall, Guess and Jolly:  
Providing for mandatory death penalty in specified cases.  
The bill was read the third time and placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2077, and the bill passed the Senate by the following vote: Yeas, 41, nays, 6; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody-41.

Voting nay: Senators Fleming, Gardner, Grant, Greive, Murray, Washington-6.

Excused: Senators Scott, Stender-2.

ENGROSSED SENATE BILL NO. 2077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2084, by Senators Henry, Francis and Twigg:  
Allowing judges retirement credit for pro tempore service.  
The bill was read the third time and placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2084, and the bill passed the Senate by the following vote: Yeas, 28; nays, 21.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Marsh, Matson, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Woodall, Woody-28.

Voting nay: Senators Atwood, Canfield, Clarke, Durkan, Fleming, Guess, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Wanamaker, Washington, Whetzel-21.

SENATE BILL NO. 2084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senator Stender was excused.

ENGROSSED SENATE BILL NO. 2096, by Senators Gardner, Murray and Odegaard (by Joint Committee on Education request):

Setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2096, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Durkan, Guess, Lewis (Harry), Matson, Newschwander, Scott—6.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2096, having received the constitutional 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. 2111, by Senators Stender, Greive, Connor, Marsh and Dore:

Implementing law relating to credit unions.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2111, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Bottiger—1.

Absent or not voting: Senator Sellar—1.

ENGROSSED SENATE BILL NO. 2111, having received the constitutional 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. 2113, by Committee on Social and Health Services (originally sponsored by Senators Day, Keefe and Murray):

Establishing a hospital commission.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2113, and the bill passed the Senate by the following vote: Yeas, 42; nays, 7.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Odegaard,

Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Washington, Woodall, Woody-42.

Voting nay: Senators Bailey, Mardesich, Newschwander, Talley, Walgren, Wanamaker, Whetzel-7.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, having received the constitutional 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. 2136, by Senators Wanamaker, Guess and Washington (by Legislative Transportation Committee request):

Directing priority programming by the highway commission.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2136, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

ENGROSSED SENATE BILL NO. 2136, having received the constitutional 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. 2140, by Senator Francis:

Fixing remuneration for salaries and actual expenses of a judge pro tempore.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2140, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Greive, Guess, Henry, Jolly, Keefe, Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Sandison, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-34.

Voting nay: Senators Bottiger, Durkan, Fleming, Grant, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Stortini-14.

Absent or not voting: Senator Stender-1.

ENGROSSED SENATE BILL NO. 2140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2146, by Senators Gardner, Sellar, Walgren and Twigg (by Municipal Committee request):

Permitting the chief of the Washington state patrol to employ special deputies.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2146, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2146, having received the 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. 2174, by Senators Walgren, Sandison, Twigg and Stortini (by Joint Committee on Higher Education and by Municipal Committee request):

Setting forth minimum standards for police forces of state colleges and universities.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2174, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senators Durkan, Rasmussen, Ridder—3.

Absent or not voting: Senator Talley—1.

SENATE BILL NO. 2174, having received the constitutional 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. 2175, by Committee on Social and Health Services (originally sponsored by Senators Marsh, Day and Jones):

Granting certain powers to housing authorities.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2175, and the bill passed the Senate by the following vote: Yeas, 40; nays, 9.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Woody—40.

Voting nay: Senators Guess, Lewis (Bob), Rasmussen, Scott, Sellar, Twigg, Van Hollebeke, Wanamaker, Woodall—9.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



There being no objection, Senator Stender was excused.

ENGROSSED SENATE BILL NO. 2176, by Senators Gardner, Talley and Murray:

Allowing port districts to provide insurance coverage for port commissioners on the same terms as provided for employees.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2176, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senators Jones, Whetzel—2.

Excused: Senator Stender—1.

SENATE BILL NO. 2176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2220, by Senator Atwood:

Providing for changes in the billing procedures of the director of general administration.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2220, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2220, having received the constitutional 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. 2235, by Senators Walgren and Herr:

Requiring precinct officers to appear on absentee ballots.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2235, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Doré, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen,

Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2248, by Senators Woody, Atwood and Bottiger:

Establishing certification procedures for court reporters.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2248, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Lewis (Harry)—1.

ENGROSSED SENATE BILL NO. 2248, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2278, by Senators Durkan, Dore and Lewis (Harry):

Restricting use of abstracts of driving experience for insurance purposes.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2278, and the bill passed the Senate by the following vote: Yeas, 31; nays, 18.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Marsh, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Stender, Stortini, Talley, Van Hollebeke, Walgren, Woody—31.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Mardesich, Matson, Murray, Peterson (Ted), Sandison, Scott, Sellar, Twigg, Wanamaker, Washington, Whetzel, Woodall—18.

ENGROSSED SENATE BILL NO. 2278, having received the constitutional 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. 2287, by Senators Bottiger, Stortini, Fleming and Ridder (by Joint Committee on Education request):

Implementing law relating to school district organization.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2287, and the bill passed the Senate by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Atwood, Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Hollebeke, Walgren, Washington, Woody—29.

Voting nay: Senators Canfield, Clarke, Guess, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Matson, Murray, Newschwander, Peterson (Ted), Sellar, Stender, Talley, Twigg, Van Hollebeke, Wanamaker, Whetzel, Woodall—20.

ENGROSSED SENATE BILL NO. 2287, having received the 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. 2293, by Senators Francis, Peterson (Ted) and Connor:  
 Enlarging scope for investments under the Refunding Bond Act.  
 The Bill was read the third time and placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2293, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE BILL NO. 2293, having received the 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. 2309, by Senators Day, Guess, Lewis (Bob), Keefe, Twigg and Donohue:

Authorizing Expo '74 bonds.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2309, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Dore, Francis, Newschwander, Ridder, Stortini, Wanamaker—6.

SENATE BILL NO. 2309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senator Stender was excused.

ENGROSSED SENATE BILL NO. 2311, by Senators Wanamaker, Walgren and Stender:

Requiring transportation agencies to submit a recommended budget for the ensuing biennium to the governor and legislature.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2311, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Durkan—1.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 2311, having received the constitutional 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. 2317, by Senator Matson:

Changing penalties under Washington clean air act.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2317, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2317, having received the 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. 2324, by Senators Day, Bailey and Atwood (by Department of Personnel request):

Amending the duties of the state committee on salaries.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2324, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE BILL NO. 2324, having received the 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. 2329, by Senators Atwood and Mardesich:

Providing for changes in the legal services revolving fund.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2329, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody-48.

Voting nay: Senator Walgren-1.

SENATE BILL NO. 2329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, by Committee on Judiciary (originally sponsored by Senators Francis, Clarke, Day and Peterson (Ted) by Executive request):

Providing procedures for civil commitment.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2336, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, having received the constitutional 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. 2339, by Senators Peterson (Lowell), Peterson (Ted) and Sandison (by Interim Committee on Fisheries, Game and Game Fish request):

Creating an advisory council to the department of fisheries.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2339, and the bill passed the Senate by the following vote: Yeas, 33; nays, 16.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody-33.

Voting nay: Senators Atwood, Canfield, Clarke, Durkan, Jones, Lewis (Harry), Lewis (Bob), Matson, Murray, Newschwander, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall-16.

ENGROSSED SENATE BILL NO. 2339, having received the constitutional 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. 2345, by Senators Atwood, Durkan and Canfield:  
Providing for a legislative auditor.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2345, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2345, having received the constitutional 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. 2347, by Senators Ridder, Talley and Canfield:

Providing for the issuing of certain bonds by sewer districts.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2347, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Grant—1.

ENGROSSED SENATE BILL NO. 2347, having received the constitutional 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. 2361, by Senators Stortini, Metcalf, Canfield and Ridder (by Secretary of State request):

Providing for review of and rebuttal to arguments in the voter's pamphlet.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2361, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2361, having received the constitutional 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. 2365, by Committee on Social and Health Services (originally sponsored by Senators Durkan, Woodall, Ridder, Connor and Knoblauch by Lieutenant Governor request):

Regulating emergency medical care and health services.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2365, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Walgren—1.

Absent or not voting: Senator Wanamaker—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, having received the constitutional 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. 2378, by Senators Walgren, Guess and Stortini (by Department of Highways request):

Providing for the sale of certain property held by the highway department.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2378, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Guess—1.

ENGROSSED SENATE BILL NO. 2378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2438, by Senators Donohue, Guess, Sandison and Durkan:

Allowing money from liquor revolving fund to universities to be used for alcoholism and drug addiction research.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2438, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones,

Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Durkan—1.

ENGROSSED SENATE BILL NO. 2438, having received the constitutional 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. 2453, by Senators Guess, Lewis (Harry) and Newschwander:

Raising compensation of city councilmen in third and fourth class cities.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2453, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2480, by Senators Henry, Peterson (Lowell) and Talley:

Relating to reforestation lands, disposition of proceeds.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2480, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senators Atwood, Metcalf—2.

SENATE BILL NO. 2480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2504, by Senators Sandison and Bailey:

Establishing a board on geographic names.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2504, and the bill passed the Senate by the following vote: Yeas, 33; nays, 14; absent or not voting, 2.



Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Woody—33.

Voting nay: Senators Atwood, Clarke, Day, Francis, Guess, Lewis (Bob), Metcalf, Murray, Scott, Sellar, Van Hollebeke, Wanamaker, Whetzel, Woodall—14.

Absent or not voting: Senators Peterson (Ted), Stender—2.

ENGROSSED SENATE BILL NO. 2504, having received the 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. 2517, by Senators Lewis (Harry), Durkan, Dore, Walgren, Clarke, Donohue, Sandison, Ridder, Canfield, Newschwander, Matson, Fleming, Jolly, Henry, Metcalf, Wanamaker, Scott, Peterson (Ted), Lewis (Bob), Woodall and Murray:

Authorizing members of the legislative budget committee and its staff to attend executive hearings on the budget.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2517, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Voting nay: Senators Stender, Whetzel—2.

SENATE BILL NO. 2517, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

Amending provisions regarding state highway routes.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2522, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE BILL NO. 2522, having received the 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. 2552, by Senators Walgren, Wanamaker and Sandison:

Authorizing continued support of the Puget Sound reserve account.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2552, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE BILL NO. 2552, having received the constitutional 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. 2577, by Senator Day:

Prohibiting discrimination against legally recognized and licensed practitioners of health care.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2577, and the bill passed the Senate by the following vote: Yeas, 35; nays, 8; absent or not voting, 6.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Stender, Stortini, Talley, Van Hollebeke, Washington, Woodall, Woody—35.

Voting nay: Senators Atwood, Clarke, Jones, Ridder, Sellar, Walgren, Wanamaker, Whetzel—8.

Absent or not voting: Senators Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Twigg—6.

ENGROSSED SENATE BILL NO. 2577, having received the constitutional 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. 2675, by Senator Day:

Revising the laws regulating chiropractic.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2675, and the bill passed the Senate by the following vote: Yeas, 37; nays, 6; absent or not voting, 6.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Talley, Van Hollebeke, Washington, Whetzel, Woodall, Woody—37.

Voting nay: Senators Clarke, Jones, Lewis (Harry), Stortini, Walgren, Wanamaker—6.

Absent or not voting: Senators Atwood, Guess, Lewis (Bob), Matson, Newschwander, Twigg—6.

ENGROSSED SENATE BILL NO. 2675, having received the constitutional 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. 2740, by Committee on Ways and Means (originally sponsored by Senators Donohue, Scott and Sandison):

Adopting the budget for the institutions of higher education and the community colleges.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2740, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senators Guess, Murray, Sandison—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, Senator Twigg was excused.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, by Committee on Ways and Means (originally sponsored by Senators Durkan, Donohue and Odegaard):

Adopting the budget for the department of social and health services and allied agencies.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2800, and the bill passed the Senate by the following vote: Yeas, 41; nays, 7; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—41.

Voting nay: Senators Fleming, Francis, Guess, Lewis (Harry), Metcalf, Murray, Woodall—7.

Excused: Senator Twigg—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, having received the constitutional 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. 2803, by Senators Donohue, Durkan and Odegaard: Adopting a budget for the superintendent of public instruction.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2803, and the bill passed the Senate by the following vote: Yeas, 40; nays, 9.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—40.

Voting nay: Senators Atwood, Connor, Fleming, Greive, Murray, Peterson (Ted), Rasmussen, Wanamaker, Whetzel—9.

ENGROSSED SENATE BILL NO. 2803, having received the 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. 102, by Senators Atwood, Newschwander and Day: Requesting Congress to allow federally-related public assistance mail to be sent under frank or at negotiated rates.

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

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 102, and the memorial passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE JOINT MEMORIAL NO. 102, having received the constitutional majority, was declared passed.

There being no objection, Senator Francis was excused.

SENATE JOINT MEMORIAL NO. 106, by Senators Donohue and Walgren: Providing for a second bridge across the Snake River funded with federal money. The memorial was read the third time and placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 106, and the memorial passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Francis—1.

SENATE JOINT MEMORIAL NO. 106, having received the constitutional majority, was declared passed.

There being no objection, Senators Stender and Twigg were excused.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 107, by Committee on Transportation and Utilities (originally sponsored by Senators Stortini, Rasmussen, Newschwander, Knoblauch and Walgren):

Requesting Congress to include a proposed business loop for Tacoma in the National System of Interstate.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 107, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Stender, Twigg—2.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 107, having received the constitutional majority, was declared passed.

ENGROSSED SENATE JOINT RESOLUTION NO. 103, by Senators Lewis (Harry), Durkan, Metcalf, Rasmussen, Ridder, Bottiger, Odegaard, Twigg, Guess and Woodall:

Providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 103, and the resolution passed the Senate by the following vote: Yeas, 38; nays, 10; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—38.

Voting nay: Senators Clarke, Jones, Matson, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Wanamaker, Whetzel—10.

Excused: Senator Stender—1.

ENGROSSED SENATE JOINT RESOLUTION NO. 103, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, by Committee on Constitution and Elections (originally sponsored by Senators Washington, Grant, Ridder, Metcalf and Whetzel):

Amending the Constitution to provide for annual, interim and extra legislative sessions and to allow the legislature to increase members' salaries.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 105, and the resolution passed the Senate by the following vote: Yeas, 45; nays, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr,

Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—45.

Voting nay: Senators Matson, Newschwander, Stender, Woodall—4.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 104, by Senators Francis, Metcalf, Gardner and Murray (by Joint Committee on Education request):

Providing for development of a comprehensive plan for revision of the state's current school financing and distribution system.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 104, and the resolution passed the Senate by the following vote: Yeas, 37; nays, 10; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Washington, Woody—37.

Voting nay: Senators Clarke, Guess, Jones, Matson, Sellar, Stender, Walgren, Wanamaker, Whetzel, Woodall—10.

Absent or not voting: Senators Atwood, Twigg—2.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 104, having received the constitutional majority, was declared passed.

There being no objection, Senators Stender and Twigg were excused.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 110, by Senators Day and Matson (by Legislative Council request):

Providing for a study on grass seed production.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 110, and the resolution passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Stender, Twigg—2.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 110, having received the constitutional majority, was declared passed.

SENATE CONCURRENT RESOLUTION NO. 111, by Senators Odegaard and Gardner:

Providing for review of institutional education programs and parental input into their contents.

The resolution was read the third time and adopted.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 9, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 32, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Charette:

Notifying the Governor that the legislature is organized.

On motion of Senator Mardesich, House Concurrent Resolution No. 32 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 32 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Keefe, Sandison and Stender to serve as the members from the Senate under the provisions of House Concurrent Resolution No. 32 to notify the Governor that the legislature is organized and ready to transact business.

#### MOTION

On motion of Senator Mardesich, the committee appointments were confirmed. The committee retired.

#### MOTION

At 9:30 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 10:20 a.m.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 9, 1973.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 120, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### REPORT OF SPECIAL COMMITTEE

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

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Keefe, Sandison and Stender appointed under the provisions of House Concurrent Resolution No. 32 to notify the Governor that

the legislature was organized and ready to transact business appeared before the bar of the Senate and reported that the Governor had been notified.

The report was received and the committee was discharged.

#### MOTION

At 10:25 a.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Monday, March 12, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### FOURTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, March 12, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Guess, Lewis (Harry), Stender and Whetzel. On motion of Senator Woodall, Senator Keefe was excused. On motion of Senator Scott, Senator Whetzel was excused.

The Color Guard, consisting of Pages Tim Van Hollebeke and Patricia Pelley, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD OUR FATHER, FOR THY LOVE THAT REDEEMS US, FOR THY STRENGTH THAT SUSTAINS US, AND FOR THY PROVIDENCE THAT SURROUNDS US, WE GIVE THEE THANKS. THOU HAST CHOSEN US TO LIVE AT THIS PARTICULAR TIME, AND WE HAVE BEEN CHOSEN TO SERVE IN THIS PARTICULAR PLACE. WE WOULD SO USE OUR TIME AND SO EMPLOY OUR TALENTS THAT AT THE DAY’S END, WE MAY MERIT THY ‘WELL DONE’. THROUGH CHRIST OUR LORD. AMEN.”

#### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Daffodil Court from the Puyallup Valley. The following Senators escorted the Court to the bar of the



Senate: Senators Gardner, Knoblauch, Francis, Van Hollebeke, Canfield, Stortini, Twigg, Rasmussen, Newschwander, Bottiger, Ridder, Matson and Metcalf. The news media was represented by Jack Pyle, Ron Chandler and Terrell Nichols. Senator Ted Peterson escorted the Queen Mother, Mrs. Len Sawyer.

Business was suspended to permit Mrs. Sawyer and Princess Georgann Hawkins to address the Senate.

The President of the Senate presented certificates designating the Court to be Ambassadors of Good Will for the State of Washington.

The Princesses were escorted from the Senate Chamber.

#### MESSAGES FROM THE HOUSE

March 9, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 291,  
HOUSE BILL NO. 364, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 9, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 576,  
HOUSE BILL NO. 590,  
ENGROSSED HOUSE BILL NO. 601,  
HOUSE BILL NO. 604,  
HOUSE BILL NO. 628,  
HOUSE BILL NO. 663,  
ENGROSSED HOUSE BILL NO. 706,  
ENGROSSED HOUSE BILL NO. 736,  
ENGROSSED HOUSE BILL NO. 753,  
ENGROSSED HOUSE BILL NO. 782,  
HOUSE BILL NO. 957,  
HOUSE JOINT MEMORIAL NO. 1,  
HOUSE JOINT MEMORIAL NO. 9,  
HOUSE JOINT MEMORIAL NO. 14,  
HOUSE JOINT RESOLUTION NO. 10,  
HOUSE CONCURRENT RESOLUTION NO. 18, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 9, 1973.

Mr. President: The House has passed:  
HOUSE BILL NO. 6,  
ENGROSSED HOUSE BILL NO. 14,  
ENGROSSED HOUSE BILL NO. 32,  
HOUSE BILL NO. 36,  
HOUSE BILL NO. 49,  
HOUSE BILL NO. 63,  
HOUSE BILL NO. 69,  
ENGROSSED HOUSE BILL NO. 87,  
HOUSE BILL NO. 90,  
HOUSE BILL NO. 102,  
ENGROSSED HOUSE BILL NO. 114,  
HOUSE BILL NO. 119,  
ENGROSSED HOUSE BILL NO. 123,  
HOUSE BILL NO. 127,  
ENGROSSED HOUSE BILL NO. 129,

ENGROSSED HOUSE BILL NO. 137,  
 HOUSE BILL NO. 138,  
 ENGROSSED HOUSE BILL NO. 139,  
 ENGROSSED HOUSE BILL NO. 150,  
 HOUSE BILL NO. 152,  
 ENGROSSED HOUSE BILL NO. 160,  
 ENGROSSED HOUSE BILL NO. 161,  
 HOUSE BILL NO. 164,  
 HOUSE BILL NO. 183,  
 ENGROSSED HOUSE BILL NO. 204,  
 SUBSTITUTE HOUSE BILL NO. 208,  
 ENGROSSED HOUSE BILL NO. 225,  
 HOUSE BILL NO. 259,  
 SUBSTITUTE HOUSE BILL NO. 273,  
 ENGROSSED HOUSE BILL NO. 280,  
 ENGROSSED HOUSE BILL NO. 286,  
 HOUSE BILL NO. 287,  
 ENGROSSED HOUSE BILL NO. 289,  
 ENGROSSED HOUSE BILL NO. 292,  
 ENGROSSED HOUSE BILL NO. 302,  
 HOUSE BILL NO. 304,  
 ENGROSSED HOUSE BILL NO. 324,  
 HOUSE BILL NO. 346,  
 HOUSE BILL NO. 369,  
 ENGROSSED HOUSE BILL NO. 385,  
 HOUSE BILL NO. 389,  
 ENGROSSED HOUSE BILL NO. 415,  
 ENGROSSED HOUSE BILL NO. 417,  
 HOUSE BILL NO. 420,  
 SUBSTITUTE HOUSE BILL NO. 429,  
 HOUSE BILL NO. 444,  
 ENGROSSED HOUSE BILL NO. 476, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 9, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 32, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2813, by Senators Durkan and Atwood:

An Act relating to the financial support of mass public transit programs; amending section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273; amending section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279; amending section 19, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.2791; amending section 20, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.2792; amending section 1, chapter 87, Laws of 1972 ex. sess. and RCW 82.44.150; repealing section 9, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.274; repealing section 10, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.275; repealing section 11, chapter 255, Laws of 1969 ex. sess., section 1, chapter 199, Laws of 1971 ex. sess. and RCW 35.58.276; repealing section 12, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.277; repealing section 13, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.278; and declaring an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2814, by Senators Twigg, Mardesich, Woodall, Lewis (Harry), Donohue, Stender, Newschwander, Peterson (Ted), Metcalf and Guess:

An Act relating to higher education; providing for a deferred increase in tuition and the payment thereof; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 82B.15 RCW.

Referred to Committee on Higher Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 2814.

SENATE BILL NO. 2815, by Senators Rasmussen and Newschwander:

An Act relating to self-defense; adding a new section to chapter 9.11 RCW; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 2816, by Senators Rasmussen, Francis and Guess:

An Act relating to eminent domain; amending section 35.81.070, chapter 7, Laws of 1965 and RCW 35.81.070; and repealing section 35.81.080, chapter 7, Laws of 1965 and RCW 35.81.080.

Referred to Judiciary Committee.

SENATE BILL NO. 2817, by Senators Newschwander, Rasmussen and Lewis (Harry):

An Act relating to revenue and taxation; and amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 6, by Representative Kilbury:

Providing for stops by buses at railroad crossings.

Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 14, by Representative Bluechel:

Providing for the practice of acupuncture under the supervision of a licensed physician.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 32, by Representatives Charnley and Matthews:

Requiring the county auditor to notify the owner when a lien is filed.

Referred to Committee on Local Government.

HOUSE BILL NO. 36, by Representative Smythe:

Permitting disbursement of county funds under the control of the county auditor and treasurer.

Referred to Committee on Rules.

HOUSE BILL NO. 49, by Representatives Berentson, Charette and Pardini:

Providing for payment of employee and employer contributions to the retirement system.

Referred to Committee on State Government.

HOUSE BILL NO. 63, by Representatives Adams, Kelley and Zimmerman:

Amending award in lieu of homestead provisions.

Referred to Judiciary Committee.

HOUSE BILL NO. 69, by Representatives Kopet, Curtis, Barden and Polk (by Legislative Budget Committee request):

Repealing authorization for land reclamation tax levy.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 87, by Representatives Thompson, Curtis, Chatalas and Matthews (by Legislative Budget Committee request):

Eliminating motor vehicle fuel tax refunds presently available for watercraft in this state.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 90, by Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request):

Providing for filing of personal service contracts.

Referred to Committee on State Government.

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 114, by Representatives Flanagan, Moon, Bagnariol, Williams, Randall and Erickson (by Permanent Property Tax Committee request):

Amending the law regarding formal and informal hearings before the state board of tax appeals.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 119, by Representatives Flanagan, Moon, Bagnariol, Williams, Randall, Erickson, Hoggins and Van Dyk (by Permanent Property Tax Committee request):

Making the assessor's comparable sales data available to individuals protesting their property valuation.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 123, by Representatives North (Lois) and Haussler:

Empowering mayor of first class city to appoint a designee to his seat on the police pension board.

Referred to Committee on Rules.

HOUSE BILL NO. 127, by Representatives Kilbury, Amen and Van Dyk:

Implementing law relating to distribution of taxes collected for taxing district purposes.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 129, by Representatives Kilbury, Sommers, Knowles and Kopet:

Increasing sheriff's civil fees.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 137, by Representatives O'Brien, Moon, Wojahn and Van Dyk (by Legislative Council request):

Requiring and regulating the use of safety glass and similar materials.

Referred to Committee on Rules on third reading.

HOUSE BILL NO. 138, by Representatives Kilbury and Kopet:

Changing the rate of interest on delinquent property taxes from a variable rate to a uniform rate.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 139, by Representatives Newhouse, Moon and Williams (by Legislative Council request):

Taxing telegraph company property as real property and apportioning the revenues amongst the taxing districts on the basis of the situs of equipment.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 150, by Representatives Haussler, Smythe, Kalich and May:

Raising mileage allowance for county officers.  
Referred to Committee on Rules.

HOUSE BILL NO. 152, by Representatives Conner and Savage:  
Establishing new State Route 111.  
Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 160, by Representatives Blair and Martinis (by Municipal Committee request):  
Changing the time periods for permitting the disposal of personal property in the possession of certain authorities.  
Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 161, by Representatives Williams, Lysen, Randall, Parker, Flanagan, Beck, Eng, Erickson, Kilbury, Smith, Smythe and Valle (by Permanent Property Tax Committee request):  
Providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes.  
Referred to Committee on Ways and Means.

HOUSE BILL NO. 164, by Representatives Conner and Kuehne:  
Deleting county auditors' duty to compare tax records with county treasurer.  
Referred to Committee on Rules.

HOUSE BILL NO. 183, by Representatives Kraabel, Eng, Brown and Bauer:  
Authorizing school districts to pay travel expenses of certain prospective employees.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 204, by Representatives Adams, Zimmerman, Perry, Parker and Kelley:  
Requiring disclosure of certain financial interests by medical practitioners.  
Referred to Committee on Social and Health Services.

SUBSTITUTE HOUSE BILL NO. 208, by Committee on Local Government (originally sponsored by Representatives Sommers and North (Lois)):  
Authorizing new procedures for the management of county property.  
Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 225, by Representatives Amen, Haussler, Schumaker, Tilly and Kalich:  
Implementing laws of motor vehicle equipment.  
Referred to Committee on Rules.

HOUSE BILL NO. 259, by Representatives Flanagan, Williams, Haussler and Randall (by Permanent Property Tax Committee request):  
Providing 30 days to appeal a decision of a county board of equalization to the state board of tax appeals.  
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 273, by Committee on Labor (originally sponsored by Representatives Savage, Kilbury, Gaines, Gaspard and Warnke):  
Providing for study for need of employee walkways along railroad bridges and trestles.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 280, by Representatives Paris, Conner and Chatalas (by Department of Social and Health Services request):  
Changing the terms of certain advisory councils of the department of social and health services and eliminating certain committees.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 286, by Representatives Perry, Leckenby, Wojahn, Eng and Sommers (by Department of Motor Vehicles request):

Providing for changes in the qualifications of members of the state board of examiners for nursing home administrators.

Referred to Committee on Rules.

HOUSE BILL NO. 287, by Representatives Charette, Newhouse and Bauer:

Providing for payment of substitutes for certain certificated personnel.

Referred to Committee on Rules on third reading.

ENGROSSED HOUSE BILL NO. 289, by Representatives Polk, Lysen, Freeman and Julin:

Providing for motorists' information signs.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 291, by Representative Charette:

Prohibiting private appraising by assistant and deputy assessors.

Referred to Committee on Rules on third reading.

ENGROSSED HOUSE BILL NO. 292, by Representatives Amen, Haussler, Zimmerman, Curtis, Flanagan, Hansey and Kilbury (by Executive request):

Providing for an advisory board of agriculture.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 302, by Representatives Kopet, Knowles, Julin, Amen and Leckenby (by Department of Social and Health Services request):

Providing new penalties for possession of marihuana by person serving a sentence in a penal institution.

Referred to Committee on Rules.

HOUSE BILL NO. 304, by Representatives Chatalas, Bluechel and North (Frances):

Changing law respecting school district's contribution for insurance and protection of board members, employees, etc.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 324, by Representatives Kopet, Shipoch, Morrison and Curtis:

Regulating recommendations for changes in state budget accounting methods.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 346, by Representatives Swayze, Knowles and Eikenberry (by Department of Social and Health Services request):

Implementing law of detention of juveniles.

Referred to Committee on Rules.

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

Referred to Committee on Rules on third reading.

HOUSE BILL NO. 369, by Representatives Conner, Morrison, Knowles, Martinis, Adams, Warnke, Bausch, Beck, Gaines and Kilbury:

Changing pension benefits of volunteer firemen.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 385, by Representatives Van Dyk, Kelley and Patterson:

Establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state. Referred to Committee on Rules.

HOUSE BILL NO. 389, by Representatives Bluechel, Thompson, Hurley and Randall (by Commissioner of Public Lands and Department of Commerce and Economic Development request):

Providing for the exchange of lands having commercial recreational leasing potential. Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 415, by Representatives Bauer, Hoggins, Smythe, Charette, Ehlers, May, North (Frances), Savage, Clemente, Bender, Wojahn, McCormick, Ceccarelli, Laughlin, Bausch, Moon, Zimmerman, Johnson, Lysen, Hendricks, Ellis, Hansey, Goltz, Gallagher, Chatalas, Bagnariol, Adams, Douthwaite, Matthews, Tilly and Van Dyk (by Superintendent of Public Instruction request):

Implementing the law to vocational education. Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 417, by Representative Thompson (by Attorney General's request):

Providing for notice to the attorney general in court actions concerning water. Referred to Committee on Rules.

HOUSE BILL NO. 420, by Representatives Savage, Morrison and Gallagher (by Department of Employment Security request):

Making certain administrative changes in unemployment compensation. Referred to Committee on Rules.

SUBSTITUTE HOUSE BILL NO. 429, by Committee on State Government (originally sponsored by Representatives North (Lois), Newhouse and May) (by Legislative Council request):

Creating the Uniform State Mapping Fund. Referred to Committee on Natural Resources.

HOUSE BILL NO. 444, by Representatives Kraabel, Nelson, O'Brien, Rabel, Patterson, Pardini, May, Wojahn, Martinis and Freeman:

Authorizing cities and towns to expend a portion of the motor vehicle fuel tax for city street purposes.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 476, by Representatives Thompson, Rabel and Conner:

Defining certificated employee for the purposes of Title 28A RCW. Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 576, by Representatives Bausch, Zimmerman, Anderson, Conner and Laughlin:

Authorizing free fishing licenses for certain blind persons. Referred to Committee on Natural Resources.

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:

Providing for representation of breeders of quarter horses on the racing commission. Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 601, by Representatives Parker, King, Erickson, Rabel, Fortson, Warnke, Bender, Clemente and Maxie:

Revising voter registration procedures.  
Referred to Committee on Rules on third reading.

HOUSE BILL NO. 604, by Representatives Kuehnle, Chatalas and Garrett:  
Providing that licensed real estate salesmen may sell mobile home when sold with land on which it rests.

Referred to Committee on Commerce.

HOUSE BILL NO. 628, by Representatives Smith, Nelson, Randall, Beck, Flanagan and Hansen:

Exempting from catch taxes food fish and shellfish taken from fish farms.  
Referred to Committee on Ways and Means.

HOUSE BILL NO. 663, by Representative Charnley:  
Requiring additional qualifications of water well construction licenses.  
Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 706, by Representative Randall:  
Requiring assessors to add to the assessment list the omitted value of personal property.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 736, by Representatives Bausch, Anderson and Hendricks:

Establishing base year formula for certain tax districts' excess levies.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 753, by Representatives Swayze, Thompson, Smythe, Paris, Erickson, Kraabel and Hayner:

Permitting public assistance grants to certain high school students.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 782, by Representative Charette:  
Regulating chain distributor business schemes.  
Referred to Committee on Rules.

HOUSE BILL NO. 957, by Representatives Bluechel, Williams, Randall and Zimmerman:

Extending the state land planning commission until June 30th, 1973.  
Referred to Committee on State Government.

HOUSE JOINT MEMORIAL NO. 1, by Representative Parker (by State Militia request):

Providing that the 9th Infantry Division be designated "The Northwest's Own".  
Referred to Committee on Rules.

HOUSE JOINT MEMORIAL NO. 9, by Representatives Parker, Cunningham, Wilson and Warnke (by Secretary of State request):

Requesting to the Congress to help Dr. Pat Smith continue her program in Vietnam.  
Referred to Committee on Rules.

HOUSE JOINT MEMORIAL NO. 14, by Representatives Chatalas, Bausch, Hendricks, Zimmerman, Conner, Ceccarelli, Beck, Adams, Williams, Thompson, Rabel, Luders, Douthwaite, Lysen, Barden, Kraabel, King, North (Lois), Blair, O'Brien and Charnley:

Providing funding for the wildlife refuge on the Nisqually Delta.  
Referred to Committee on Natural Resources.

HOUSE JOINT RESOLUTION NO. 10, by Representatives North (Lois), Chatalas,



Swayze, Charnley, Bluechel, Kilbury, Fortson, Thompson, Wojahn, Rabel, Goltz, Savage, King, Erickson, Valle, Williams, Ellis, Sommers, Maxie, North (Frances), Hayner, Patterson, Leckenby, Blair, Smythe, Ceccarelli and Shinpoch (by Executive and Washington State Women's Council request):

Ratifying federal equal rights amendment.  
Referred to Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 18, by Representatives Luders, Bag-nariol, Adams, Perry, Charette, Kopet, Barden, Kuehnle, Knowles, Curtis, Randall, Shinpoch, Kilbury, Schumaker, Bauer, Hurley, Van Dyk, Polk, Cunningham, Garrett, Hendricks, Gilleland, Ceccarelli and Laughlin:

Resolving that the department of social and health services proceed with the work incentive program.

Referred to Committee on Social and Health Services.

MOTION

On motion of Senator Mardesich, all bills introduced today were assigned to the committee as shown on the introduction and first reading calendar for today.

MOTION

At 11:35 a.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, March 13, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, March 13, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood and Guess. On motion of Senator Scott, Senators Atwood and Guess were excused.

The Color Guard, consisting of Pages Brian Kenney and Dawn Bishop, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"HIS NAME O LORD WE DO NOT KNOW. WE WILL CALL HIM THE GOOD SAMARITAN, BECAUSE HE DISCOVERED SOMEONE WOUNDED ON THE ROADSIDE NOT EVEN A MEMBER OF HIS OWN STATE, BUT A STRANGER, AND HE GAVE HIM OF HIS TIME, HIS MONEY, HIS CARE.

"INSPIRE THE CITIZENS OF THIS STATE WITH THAT SAME SPIRIT OF CARE AND CONCERN FOR THE NEEDS OF OTHERS THAT WILL INSPIRE LAWMAKER AND TAXPAYER TO BE WILLING TO DO THEIR FAIR SHARE IN GIVING OF WHAT IS OURS TO MEET THE NEEDS OF THOSE WHO OTHERWISE WILL LIE HELPLESS ON THE ROADSIDE OF LIFE. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORT OF STANDING COMMITTEE

March 12, 1973.

SENATE BILL NO. 2662, providing for the regulation and safe operation of recreational conveyances (reported by Committee on Parks and Recreation):

MAJORITY recommendation: That Substitute Senate Bill No. 2662 be substituted therefor and the substitute bill do pass.

Signed by: Senators Knoblauch, Chairman; Jones, Wanamaker, Woody.

Passed to Committee on Rules for second reading.

## PERSONAL PRIVILEGE

Senator Lewis (Harry): "Mr. President and members of the Senate, I would just like to bring to your attention today an honor that was bestowed upon one of our illustrious members, Senator John Stender, who was selected yesterday by the Nixon administration to be Assistant Secretary of Labor for OSHA. We, of course, on this side of the aisle are extremely proud of the competence of Senator Stender and in his selection. We regret very much looking forward to the loss of his dulcet tones here on the floor of the Senate and in the caucus but we, I think, join with members on the other side of the aisle in congratulations to a man who has done an excellent job for the people he represents here in the state of Washington and I just wanted to be sure that all the members of the Senate were aware of this appointment, and our congratulations to you, John."

## PERSONAL PRIVILEGE

Senator Greive: "I would merely like to say that I know the federal government has gained a very pliable member, somebody that will go along with just about anything they want. There is going to be no difficulty in the future. I am sure that when anybody in the administration sends the word down, that Senator Stender will jump. I know there is going to be no problem whatsoever with him and he has already assured them of his complete and thorough cooperation in anything they want. And I think they had better have his resignation already signed if they think that is going to happen, because I am sure that Senator Stender, who has been not only a member of a minority but a very vocal member of the minority and a very strong voice for the things he believes in and a man who voted with the minority sometimes, no matter where that minority was, is going to shake that department up a little. I think they are going to find that Senator Stender is an excellent man of very strong and firm character and I think he is going to leave his impression, and along with Senator Lewis I would like to say that it has been my good fortune to be both with and against Senator Stender over a long period of years. I have a deep respect for him, as I am sure every member of this body does, and we are very proud that you have received this appointment and we feel that it is an honor bestowed not alone on you as an individual, but the state of Washington and in a sense on the Senate of the state of Washington, that one of our members would receive such a high acclaim."

## PERSONAL PRIVILEGE

Senator Washington: "Mr. President and members of the Senate, I have searched back and I do not believe any member of this body has jumped into a position as high as the one that Senator Stender has been honored with and I think it is not only an honor to the Republican Party, but I think it is an honor to the standing and respect of the Senate. And the other thing, somewhat echoing the statements of Senator Greive, I also know that with the very stiff attitude that Senator Stender many times takes, that when the battle is over and when you have had your tussle in the committee and when you have had your tussle on the floor, he still remains a friend. And this is the way a man can take a very firm position. He knows where the field of the battle is, he fights it there, but he does not fight it after the battle is over, and I think this is one of the main considerations, one of the main strengths that will help him to be a real success back in Washington."

## PERSONAL PRIVILEGE

Senator Canfield: "Politicians have been accused of a lot of things, some good and some not, but my experience with 'Big John' has been good. He is a man who does not speak with a forked tongue. He is a man who tells it as it is. I have the utmost confidence in John Stender."

## PERSONAL PRIVILEGE

Senator Grant: "Mr. President and gentlemen of the Senate, I would also like to offer

my congratulations to Senator Stender and I am sure that Senator Warnke, Senator Gardner and Senator Rosellini are also very pleased with this appointment."

#### PERSONAL PRIVILEGE

Senator Mardesich: "I also would like to add my congratulations, but in addition to the good things that have been said about him, I think we ought to note some of the bad things so that he does not go away feeling too happy. There was nothing more irritating to me over the years than when you started talking to John and he did not like it, he would turn down the hearing aid. I also point out to our side, keep up the hope, boys. I have talked to Richard and he is going to arrange something for Atwood."

#### REMARKS BY SENATOR STENDER

Senator Stender: "Thank you all. You know when one of these kinds of things become a reality, you wonder sometimes whether or not you are getting involved in something that may not be to your liking after you get into it. But it is a challenge, I want to say. I have spent quite a few years in the area of labor and labor management. Not all of it has been easy because we have had, like you have here, people in the labor movement who do not agree with me and they are always wrong and it is difficult to understand why they are wrong so much. You fellows make some terrible mistakes when you vote like you do, as you know. Some of these bad bills. But the ten years, going on eleven I have spent here, I certainly regret leaving the Senate. It has been real good experience. Some of you fellows, I hope, will not forget that Washington is only five hours by jet. If you do come back, I sure hope that you would stop and call. I understand too, that this department that I am supposed to take ahold of is the OSHA and some of those that are closer to it than I have previously been involved or are currently involved say it is the swamp with the most alligators in it. And so I do hope that the challenge that is there does not end up with the alligators getting ahead of me. I do thank all of you though for your kind remarks. I am going to miss my colleagues in the Republican Caucus. I know they always agree with everything I say in there and sometimes they even vote against me out here. But I will miss it and I do thank you all for your kind thoughts and I hope I can come back and visit with you sometime.

"I am leaving in the morning. I might be back next week, though. I hope I can. I have got a call to come back and do a little orientation work and you have to be confirmed by the Senate. I do not know how that is going, but a different Senate. And then I guess I will be pulling up roots and getting another spot to settle."

#### PERSONAL PRIVILEGE

Senator Peterson (Ted): "Mr. President and members of the Senate and Big John, I am going to say that for one I am certainly going to miss you. We have been up in this cell tier here for a good many years. Years back when we came into more understanding, I said he did not know the difference between a purse seiner and a gill net boat, but he brought the evidence out here. We had our tussles along the line, but he has certainly been a good office companion and we have served the whole tier up there coffee. I know he hates to leave and I hate to see him leave for just that one thing only. But John, I want to wish you the best of everything. I'm certainly going to miss you up there and we hope to see you back here on a trip once in awhile and best of luck to you."

#### REMARKS BY THE PRESIDENT

The President: "Senator, I would like to add my congratulations and compliments and in the words of the immortal Walter Hagen, 'It is always nice to smell the flowers while still around to enjoy them.' We are glad you were here to listen."

## PERSONAL PRIVILEGE

Senator Greive: "I would like to bring to mind something that I think John and I will remember. I think it was about eighteen years ago. I can remember one night in Von's Cafe congratulating him because he was elected to Congress, which subsequently he lost, and I just wonder whatever happened to Don Magnuson."

## MESSAGE FROM THE GOVERNOR

Office of the Governor, March 9, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 9, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2386: Enacting the Washington Industrial Safety and Health Act of 1973.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2818, by Senators Van Hollebeke, Dore and Francis:

An Act relating to revenue and taxation; and amending section 84.36.070, chapter 15, Laws of 1961 and RCW 84.36.070.

Referred to Committee on Ways and Means.

SENATE JOINT MEMORIAL NO. 121, by Senators Talley, Peterson (Ted) and Peterson (Lowell):

Requesting the President and Secretary of State to terminate the authority of the U.S. and Canada to fish in the zone of the other country.

Referred to Committee on Natural Resources.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 120,

HOUSE CONCURRENT RESOLUTION NO. 32.

## MOTION

At 9:50 a.m., on motion of Senator Bailey, the Senate recessed until 11:55 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 11:55 a.m.

## THIRD READING

ENGROSSED HOUSE BILL NO. 137, by Representatives O'Brien, Moon, Wojahn and Van Dyk (by Legislative Council request):

Requiring and regulating the use of safety glass and similar materials.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 137, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Atwood, Guess—2.

ENGROSSED HOUSE BILL NO. 137, 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.

HOUSE BILL NO. 287, by Representatives Charette, Newhouse and Bauer:

Providing for payment of substitutes for certain certificated personnel.

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

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 287, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Atwood, Guess—2.

HOUSE BILL NO. 287, 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 Senator Mardesich, Engrossed House Bill No. 291 was ordered to hold its place on the third reading calendar for Wednesday, March 14, 1973.

## THIRD READING

HOUSE BILL NO. 364, by Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request):

Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

## MOTION

Senator Day moved that the rules be suspended and House Bill No. 364, as amended by the Senate, be returned to second reading.

## POINT OF ORDER

Senator Lewis (Harry): "Mr. President, I was not aware that we had any rules in the Senate today. Is that incorrect?"

## RULING BY THE PRESIDENT

The President: "The extraordinary session of the Senate has not as yet adopted rules but the President believes that in the interest of proper procedure that until such time as the Senate does adopt rules that Senate affairs would be conducted under the rules used in the regular session unless a majority of the members feel otherwise."

Senator Mardesich: "I do not want to deviate from the subject at hand, but I think until such time as we do adopt rules we have to operate under the rule of majority and Reed's Rules."

## REMARKS BY THE PRESIDENT

The President: "The President believes he expressed that in his closing remark that unless the majority felt otherwise."

## MOTION

On motion of Senator Day, there being no objection, House Bill No. 364, as amended by the Senate, was returned to second reading.

## MOTION FOR RECONSIDERATION

On motion of Senator Day, the Senate moved to reconsider the vote by which the Senate amendment to page 1, section 1, line 20, after the semicolon, striking "and" and inserting "[and] or" was adopted.

## MOTION

On motion of Senator Day, the Senate amendment to House Bill No. 364 was laid upon the table.

On motion of Senator Day, the rules were suspended, House Bill No. 364, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 364, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Waigren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Atwood, Guess—2.

HOUSE BILL NO. 364, 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 Senator Lewis (Harry), Engrossed House Bill No. 601 was ordered to hold its place on the third reading calendar for Wednesday, March 14, 1973.

## MOTIONS

Senator Lewis (Harry) moved adoption of the following resolution and also moved that the names of all Senators, with the exception of Senator Stender, be added as sponsors to the resolution:

## SENATE RESOLUTION 1973-38

By Senators Lewis (Harry), Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody.

WHEREAS, On Tuesday, March 13, 1973, State Senator John H. Stender was nominated by the White House to an appointment as Assistant Secretary of Labor for Occupational Safety and Health; and

WHEREAS, He has been a member of the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO for over thirty years; and is presently and since 1958 has been the International Vice President of the Union for the Northwest Region (Washington, Oregon, Idaho, Wyoming, Montana and Alaska); and

WHEREAS, This labor leader in 1951 organized the Northwest Metal Crafts Trust Fund and served as chairman of the board of trustees for over ten years, which Health and Welfare program has covered thousands of industrial workers in most of the shop trades in the Northwest; and

WHEREAS, He is also president of the Labor-Management Committee on Fair Foreign Competition, and a member of the board of directors of the National Maritime Council; and

WHEREAS, State Senator John Stender was elected initially to the Upper Chamber in 1962, and is now serving his third four-year term, and is a member of the all-powerful Rules Committee, as well as Constitution and Elections, Transportation and Utilities, and of course, the Labor Committee, and also a member of the Legislative Council; and

WHEREAS, President Dwight D. Eisenhower appointed Senator Stender to the National Committee on Programs and Progress (Percy Committee) in 1959 as one of two labor representatives on the forty-four man committee. He represented the western half of the United States as a labor member and was the state's only representative; and

WHEREAS, Senator John Stender has also served as a public member of the State Welfare Medical Care Committee, appointed in 1955 by Washington State Governor Arthur Langlie. He is also a past member of the board of trustees of the Regional Health Planning Council, as well as a past member of the National Republican Coordinating Committee, Task Force on Job Opportunities.

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington in legislative session assembled, that the Senate congratulates and commends John H. Stender on his being nominated by the President of the United States to be Assistant Secretary of Labor for Occupational Safety and Health, and that the United States Senate be urged to speedily confirm this nomination;

BE IT FURTHER RESOLVED, That copies of this resolution with the signatures thereon of all members of the Washington State Senate be transmitted to Senator John H. Stender, Senator Warren G. Magnuson and Senator Henry M. Jackson, and a copy be transmitted to the President of the United States, Richard M. Nixon.

## REMARKS BY SENATOR LEWIS (HARRY)

Senator Lewis (Harry): "Mr. President and members of the Senate, in the interest of time and because we had a number of speeches this morning, I would just like to suggest to



you that this is a worthwhile resolution for one of our most highly respected members, Senator John Stender.

“Recounting a little of his history as a man, as a member of the labor movement, as a member of this Senate and as a public servant with various appointments by President Eisenhower and so forth, as a member of the state welfare medical care committee appointed by Governor Arthur Langlie, and the words of congratulations to him by this body and the urging of this body of the Senate of the United States to speedily confirm his nomination are enclosed in this resolution. The resolution is on your desks or should shortly be there and I just urge everyone to join together in supporting Senator Stender in his new appointment as Assistant Secretary of Labor for Occupational Safety and Health, a position of great eminence in this land of ours and a distinct honor for any member of this Senate to receive. Our congratulations to Senator Stender and our best wishes to him, and I urge you to adopt this resolution unanimously.”

#### REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: “I wish to concur with all of the remarks of Senator Lewis in regard to Senator Stender. We will miss Senator Stender. He had a refreshing outlook for a Republican and one that we would commend to all Republicans that they have that refreshing outlook. He is a fine appointment and our best wishes go with him and we hope that he will complete a successful term in office. I know as far as he is concerned, he will. Some of the other candidates that have gone back there have come back to us and there will be an empty chair there and we wonder who is going to fill it. But we do wish to add our commendation on this side of the aisle to Senator Stender. Good luck.”

#### REMARKS BY SENATOR DORE

Senator Dore: “Mr. President and members of the Senate, I would like to also concur in the remarks of Senators Lewis and Rasmussen. When Senator Stender first came to the Senate, I sat in the back row with him so I got to know him quite well. I always found him to be his own man, deeply dedicated to what he thought was right and willing to stand, which he had to do many times, stand alone in the Republican Caucus for a number of the labor bills and he did not give up his principles or what he believed in and I think on the floor and also in the caucus and the joint meetings he always expressed his opinions. Sometimes I was not so happy with what he said, but he always expressed his opinions and he acted for the best interests of the people that he represented in his district and the element that elected him to serve here in the Senate. I know he is going to do an outstanding job. He has the ability. He is going to bring an enlightened viewpoint back to Washington, D.C. to serve in a very prestigious position. I think that any of us here on this floor would gladly change his position, a chance to—not in this administration of course—if it were Democratic, we would like to go back and join the cabinet and have the chance to really put those talents and expressions and his independence in his thinking and viewpoint into action back at the national level in Washington, D.C. where things really happen. So we wish him well. We are going to miss him and I know he is going to do an outstanding job. I hope he does not stay too long, and comes home in three years.”

The motions by Senator Lewis (Harry) carried and the resolution was unanimously adopted.

#### MOTION

At 12:25 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, March 14, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**SIXTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Wednesday, March 14, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Stender and Whetzel.

The Color Guard, consisting of Pages Jim Quilliam and Karen Lindskog, presented the Colors. Reverend Thomas Hesselbrock, assistant pastor of St. Michael's Church of Olympia, offered the following prayer:

"ALMIGHTY FATHER, SEND YOUR BLESSING UPON US TODAY. BE PRESENT, AS WE STRIVE TO SERVE THE NEEDS OF OUR CITIZENS, YOUR PEOPLE, IN OUR CAUCUSES, MEETINGS, AND DELIBERATIONS. MAY YOUR PRESENCE BE REFLECTED IN OUR WORK, AND MAY THE RESULTS OF OUR WORK HELP EXTEND YOUR PRESENCE OF JUSTICE AND PEACE TO ALL THE PEOPLE OF OUR STATE. AMEN."

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**MESSAGE FROM THE GOVERNOR**

Office of the Governor, March 13, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 13, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2194: Allowing grants to certain disadvantaged elementary and secondary students.

Sincerely,  
 JOHN H. BRIGHT  
 Legislative Counsel to the Governor.

#### MOTION

Senator Sandison moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-42

By Senators Sandison, Peterson (Lowell), Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Ernest M. Brannon began his career with the Department of Fisheries in May of 1923 after attending Auburn High School where he was an outstanding athlete; and

WHEREAS, Ernest M. Brannon has been Superintendent of the Dungeness Salmon Hatchery since 1929 where he has developed new techniques and approaches employed in the breeding of fish; and

WHEREAS, Ernest M. Brannon has been a dedicated administrator as well as a recognized expert in the field for his extensive work with the Elwha Salmon; and

WHEREAS, Ernest M. Brannon's enthusiasm for his work has been an inspiration to others, including his son, who received his doctorate in marine biology and is currently a member of the International Pacific Salmon Commission;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington, recognizes the past achievements of Ernest M. Brannon, and congratulates him on the anniversary of his fiftieth year of service in the Department of Fisheries and service to the state of Washington.

BE IT FURTHER RESOLVED, That the secretary of the Senate shall have this resolution suitably inscribed and transmitted to Ernest M. Brannon.

#### MOTION

On motion of Senator Sandison, all members of the Senate were added as sponsors to Senate Resolution 1973-42.

#### REMARKS BY SENATOR SANDISON

Senator Sandison: "Mr. President and members of the Senate, several Senators prompted me on this because they have known Ernie Brannon and Helen for all these years. This is not only a fiftieth anniversary of a person who has been an excellent employee, but also of a person who has been unique in his contribution to fisheries in the entire United States and particularly with salmon. He has been a selfless man. The only time I have seen him gripe is when he did not get enough fish. In the years that I have been in the legislature, and I have known him since I was a small boy, the only griping I ever heard was because he was not able to get his job done. Never once have I ever heard him talk about his pension; never once have I ever heard him talk about his salary. He was just dedicated to raising fish and to doing something for the people in the state of Washington.

"I saw him leave his home many times on Sunday when he would take a little time off because some tourist drove near the hatchery, and he would literally run out there so that he could show them. I have been with him when he has been taking fish by gaff out of the stream, out of the Elwha particularly, which is a turbid, glacial stream. The water is difficult to even walk in, to say nothing of standing in there with a gaff hook, and he would point

out the fish and say, 'That is a female. I do not want it. That is a male. That is not the male I want.' And I couldn't even see the fish. He has been this type of a person. He has taught people through the years; there are people who are retired that he has taught his technique in raising fish and in taking fish. And I think he has been a real asset to the state of Washington. He has given us a unique contribution."

#### REMARKS BY SENATOR METCALF

Senator Metcalf: "Just a quick word. In our tour of the area, it was an inspiration to see the work that he had done in that area, to tour the hatchery, to see the eggs taken from these fish, to see some of the specimens, and I just would like to add my encouragement to the Senate in commending Ernie Brannon."

The motion by Senator Sandison carried and the resolution was unanimously adopted.

#### PRESIDENT'S PRIVILEGE

The President: "Gentlemen of the Senate, ladies and gentlemen, the President at this time should like to introduce Mrs. Helen Brannon. And a former renowned member of the United States Congress, the Honorable Thor Tollefson, and Director of Fisheries. The President should like to say to you, Mr. Brannon, that the members of the Senate join with the President in extending our heartiest congratulations to you upon your wonderful achievements and, what is more important, to express the appreciation of the people of our state and indeed I might include the world, for your remarkable contribution to the well-being of your fellow citizens. Mr. Brannon and the former renowned scientist in the area of fisheries, a friend of mine by the name of Clarence Pautzke, I believe were natives of Auburn. Is that right? And close friends.

"This morning the news carried an item about another brilliant scientist, Dr. Donaldson of the University of Washington. The President should like to add that Senator Sandison has put in proper perspective Mr. Brannon's contributions, for indeed the fisheries industry and most notably the salmon phase of it could very well be extinct if it were not for the contributions of Mr. Brannon. So Mr. Brannon, the Senate has designated and given me the privilege to present to you this symbol of our appreciation and gratitude for your services that states, 'In recognition and appreciation of his fifty years of dedicated service in the Department of Fisheries and to the citizens of the state of Washington.'"

#### REMARKS BY MR. ERNEST M. BRANNON

Mr. Brannon: "I would like to say this to you. I followed you from the time that you were a football player for the University of Washington and Pautzke was with you. I tell everybody I am thirty-eight years old. I cannot fool them much longer because I have children that are older than that now. But I certainly appreciate this privilege of coming in here to meet with a group of people like this and this is what makes a person feel dedicated, to have a state like the state of Washington that you can work for. I came from Chicago when I was a small boy. I was eight years old. When I came to the state of Washington I admired the long tall evergreen trees. We moved up into the Muckleshoot Indian Reservation and that is where I started out in my fisheries. I went down to the Green River Hatchery and I harassed the superintendent there and he said, 'Well, you are in my way so since we cannot get rid of you, I am going to put you on the payroll.' That is when I started out. I think it was May 2, 1922. I have enjoyed it very much ever since and I heard one man speak of how I try to bounce out to the hatchery. Well, you never know who is coming in to meet you in your hatchery where you are working. I have people come there from all over the world. We have had eight and nine Continental buses come from Hawaii. That is the only station I think they have been coming to. So I do not care, and I have always told my help, I did not care if it was the President of the United States or a little Indian woman that came to visit the hatchery, they were to show them around the right way, and I try to do everything that I can myself. Because we had a number of people come on Saturdays and Sundays and I had a number of people come in there that were representatives of other states and they said, 'Well, believe you me this is the way that we like to see things carried

out in our fisheries,' and they said, 'I hope we can get some of that brushed off up in our neck of the woods.'

"And I have met a number of our Senators and legislators. We have some of the best ones that we have ever had up there right now and they have been in the House and the Senate for a long time. I could tell lots of stories on them, but I will refrain from that now because Gordie Sandison is a wonderful hunter and a good outdoorsman. He is a good fisherman and he has the most marvelous family you could ever look at. Paul Conner is another boy that has been with us a long time. You can always talk to him. And I try to feel that regardless of politics, one way or another, I am going to work for the good of the state of Washington and for the good of the United States of America. Thank you very much."

#### REMARKS BY MR. THOR TOLLEFSON

Mr. Tollefson: "Mr. President and members of the Senate and distinguished guests, this is a privilege indeed. Back in Washington, D.C., one of the favorite, shall I say stunts, of members of Congress when troops of boy scouts would come from their states, was to take the troop into the chamber of the House of Representatives when it was not in session and let the boys sit in the Speaker's chair one at a time. They got a great thrill out of that. I understand better today what that thrill is because I had an opportunity to sit in the President's chair here.

"I think it is a wonderful thing that you are doing today and I personally want to thank you for it. When I first came with the state of Washington connected with the Department of Fisheries, I soon learned that the state of Washington had a lot of dedicated employees who deserved recognition and expressions of appreciation for the fine work that they were doing. This was especially true in the case of Ernie Brannon, who has been one of our finest hatchery superintendents, so much so that I never after having learned about Ernie and meeting him, had to worry about that hatchery up there on the Dungeness. When freezing weather came along and we were concerned about the water freezing and the intake pump freezing over, endangering the lives of the fish, we might have been a little bit concerned but we knew that the place was in good hands. I noted one thing that Senator Sandison said about Ernie always wanting to work. Well, he had told me a week or two ago that he was going to retire on June 1. Then about a week or two later, the word came from up there that he was going to have to postpone that for a week or two or three because he had just too much work to do. So what you said about Ernie was the truth. He has been one of the workingest people that we have had in our department, and I am so happy that you gave him this recognition and did him this honor. It is going to do a lot for the morale of other people in the department who deserve recognition too, in some form or another. Thank you very much for letting me be here."

#### PRESIDENT'S PRIVILEGE

The President: "Senator Lowell Peterson has advised the President that he thinks that the Senators have covered this situation very well. The President has extended an invitation to Mrs. Brannon to exercise her womanly privilege of having the last word but she said she is going to let it sit where it is now. Thank you."

#### PRESIDENT'S PRIVILEGE

The President: "Members of the Senate, ladies and gentlemen, the Senate has just received a message from the Honorable Ernest M. Brannon which is of great significance and interest to the members and to the press. With your indulgence the Secretary will please read."

The following was read by the Reading Clerk:

March 11, 1973.

Dear Dad,

I thought it only appropriate to write you regarding my appointment as Dr. Donaldson's replacement. I cannot think of a more fitting retirement after having given your

life for something you thought so much of, to now have your son in a position to influence the future of that profession for years to come. I believe there is no position in fisheries from which a more meaningful memorial could be given to your dedication, enthusiasm, and logic. In every way my achievement has been yours and will continue to reflect the basis that you provided for me.

Your son.

#### MOTION

On motion of Senator Bottiger, the following resolution was adopted:

#### SENATE RESOLUTION 1973-37

By Senator Bottiger:

WHEREAS, Each year for the past sixteen years the State Class A High School Basketball Tournament has been held to select the state champion class A basketball team; and

WHEREAS, This year's championship game, between White River and Omak, was held on Saturday, March 10th before a turn-away crowd at the University of Puget Sound fieldhouse; and

WHEREAS, Coach Lloyd Blanusa of White River is in his first year as head coach; and

WHEREAS, White River, in a game characterized by skillful defensive play, won by a score of 35 to 31;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extends its congratulations and good wishes to Coach Lloyd Blanusa and the entire White River basketball team; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to Coach Blanusa and to each member of the team.

#### MOTION

On motion of Senator Day, the following resolution was adopted:

#### SENATE RESOLUTION 1973-40

By Senator Day:

WHEREAS, Each year for the past fifteen years the State Class B High School Basketball Tournament has been held to select the state champion class B basketball team; and

WHEREAS, This year's championship game, between Oakesdale and Lind, was held on Saturday, March 10th, at the Spokane Colosseum; and

WHEREAS, Coach Roy Graffis of Oakesdale High School is in his third year as head coach; and

WHEREAS, Coach Graffis' son Kevin was named on the first team for the All-Stars along with another team member, Mike Brown, named on the second team for the All-Stars; and

WHEREAS, Oakesdale High School placed sixth in 1967, second in 1968, and now in 1973 is a first-place winner in the State Class B High School Basketball Tournament; and

WHEREAS, Oakesdale, in a game characterized by skillful defensive play and by going into an overtime period, won by a score of 58 to 54;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extends its congratulations and good wishes to Coach Roy Graffis and the entire Oakesdale basketball team.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to Coach Roy Graffis and to each member of the team.

## MOTION

Senator Rasmussen moved adoption of the following resolution:

## SENATE RESOLUTION 1973-39

By Senator Rasmussen:

WHEREAS, Certain mayors of the State of Washington and the nation energetically worked for passage of federal legislation to provide revenue sharing; and

WHEREAS, Legislation providing revenue sharing was passed by the Congress; and

WHEREAS, The result has been that the cities now are receiving less in federal funds than before revenue sharing, and many programs in the cities are now being discontinued and funds from revenue sharing will not take up the slack; and

WHEREAS, The mayors now are back in Washington, D.C. appealing to the Congress to reverse the trend established by the revenue sharing program and are now opposed to that concept of federal funding of local programs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, that the mayors be advised to stay home and run the affairs of their cities; and

BE IT FURTHER RESOLVED, That such a course would result in a need for far less in federal funds for the cities, and more efficient local operation of government; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent by the Secretary of the Senate to officers of the Association of Washington Cities.

On motion of Senator Lewis (Harry), the following amendment to the resolution was adopted:

On line 1, after "Washington" insert "cities of over 100,000 population".

Debate ensued.

Senator Washington moved that the resolution, as amended, be referred to the Committee on Local Government.

Senator Talley moved that the motion by Senator Washington be amended and the resolution, as amended, be referred to the Committee on Natural Resources.

Further debate ensued.

The motion by Senator Talley failed on a rising vote.

The motion by Senator Washington carried and Senate Resolution 1973-39, as amended, was referred to the Committee on Local Government.

The special committee escorted Mr. and Mrs. Ernest Brannon and Mr. Thor Tollefson from the Senate Chambers.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2819, by Senators Rasmussen and Talley:

An Act relating to game animals; and adding a new section to chapter 77.16 RCW.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2820, by Senator Scott:

An Act relating to cruelty to animals; adding a new section to chapter 146, Laws of 1901 and to chapter 16.52 RCW; and providing penalties.

Referred to Committee on Agriculture.

SENATE BILL NO. 2821, by Senators Talley and Sellar:

An Act relating to counties; amending section 36.16.032, chapter 4, Laws of 1963 as last amended by section 1, chapter 97, Laws of 1972 ex. sess. and RCW 36.16.032; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1971 ex. sess. and RCW 36.17.020; and making an effective date.

Referred to Committee on Local Government.

SENATE BILL NO. 2822, by Senators Van Hollebeke, Woody and Greive:

An Act relating to inheritance taxation; and amending section 83.16.020, chapter 15, Laws of 1961 and RCW 83.16.020.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2823, by Senators Ridder, Stender and Day:

An Act relating to the regulation of public health and safety; adding new sections to chapter 15.36 RCW; creating new sections; and providing an effective date.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2824, by Senators Whetzel, Peterson (Ted), Jones, Wanamaker, Twigg, Canfield, Clarke, Matson, Sellar, Metcalf, Lewis (Bob), Murray and Lewis (Harry):

An Act relating to exemptions from inheritance tax; amending section 1, chapter 8, Laws of 1965 ex. sess. and RCW 83.20.030; and repealing section 1, chapter 11, Laws of 1963 ex. sess. and RCW 83.20.020.

Referred to Committee on Ways and Means.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bill No. 2824.

SENATE BILL NO. 2825, by Senators Donohue and Jolly:

An Act relating to food fish and shellfish; providing for emergency alteration of streams by riparian owners; and amending section 75.20.100, chapter 12, Laws of 1955 as amended by section 1, chapter 48, Laws of 1967 and RCW 75.20.100.

Referred to Committee on Natural Resources.

SENATE BILL NO. 2826, by Senator Francis:

An Act relating to the state bar act; and amending section 5, chapter 94, Laws of 1933 as amended by section 1, chapter 66, Laws of 1972 ex. sess. and RCW 2.48.030.

Referred to Judiciary Committee.

SENATE BILL NO. 2827, by Senator Francis:

An Act relating to voters' pamphlets; amending section 29.81.010, chapter 9, Laws of 1965 and RCW 29.81.010; amending section 29.81.020, chapter 9, Laws of 1965 and RCW 29.81.020; amending section 29.81.070, chapter 9, Laws of 1965 and RCW 29.81.070; amending section 29.81.100, chapter 9, Laws of 1965 as amended by section 5, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.100; amending section 29.81.120, chapter 9, Laws of 1965 as amended by section 6, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.120; repealing section 29.81.030, chapter 9, Laws of 1965 and RCW 29.81.030; repealing section 29.81.040, chapter 9, Laws of 1965 as amended by section 4, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.040; repealing section 29.81.050, chapter 9, Laws of 1965 and RCW 29.81.050; repealing section 29.81.060, chapter 9, Laws of 1965 and RCW 29.81.060; and repealing section 29.81.090, chapter 9, Laws of 1965 and RCW 29.81.090.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2828, by Senator Francis:

An Act relating to civil procedure; and amending section 2, chapter 131, Laws of 1959 and RCW 4.28.185.

Referred to Judiciary Committee.

SENATE BILL NO. 2829, by Senator Francis:

An Act relating to unfair business practices, consumer protection; adding new sections to chapter 19.86 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2830, by Senator Francis:

An Act relating to fees of clerks of the superior courts; and amending section 1, chapter . . . (HB 308), Laws of 1973 and RCW 36.18.020.

Referred to Judiciary Committee.



## SENATE BILL NO. 2831, by Senator Francis:

An Act relating to bail; adding new sections to chapter 10.19 RCW; repealing section 33, page 108, Laws of 1854, section 225, page 395, Laws of 1873, section 1927, Code of 1881, section 13, chapter 11, Laws of 1891 and RCW 10.16.070; repealing section 43, page 109, Laws of 1854, section 185, page 141, Laws of 1859, section 216, page 390, Laws of 1863, section 235, page 397, Laws of 1873, section 1936, Code of 1881 and RCW 10.16.190; repealing section 58, chapter 249, Laws of 1909 and RCW 10.19.010; repealing section 72, page 113, Laws of 1854, section 208, page 229, Laws of 1873, section 1028, Code of 1881, section 42, chapter 28, Laws of 1891 and RCW 10.19.020; repealing section 5, page 101, Laws of 1890 and RCW 10.19.025; repealing section 33, page 108, Laws of 1854, section 1927, Code of 1881, section 13, chapter 11, Laws of 1891 and RCW 10.19.030; repealing section 78, page 114, Laws of 1854, section 214, page 229, Laws of 1873, section 1034, Code of 1881 and RCW 10.19.040; repealing section 178, page 129, Laws of 1854, section 1169, Code of 1881 and RCW 10.19.050; repealing section 79, page 114, Laws of 1854, section 215, page 230, Laws of 1873, section 1035, Code of 1881, and RCW 10.19.060; repealing section 77, page 114, Laws of 1854, section 1033, Code of 1881 and RCW 10.19.065; repealing section 80, page 114, Laws of 1854, section 216, page 230, Laws of 1873, section 1036, Code of 1881 and RCW 10.19.070; repealing section 81, page 114, Laws of 1854, section 217, page 230, Laws of 1873, section 1037, Code of 1881 and RCW 10.19.080; repealing section 1, page 103, Laws of 1867, section 217, page 230, Laws of 1873, section 1137, Code of 1881 and RCW 10.19.090; repealing section 2, page 103, Laws of 1867, section 281, page 242, Laws of 1873, section 1138, Code of 1881, section 86, chapter 28, Laws of 1891 and RCW 10.19.100; repealing section 3, page 103, Laws of 1867, section 1139, Code of 1881, section 87, chapter 28, Laws of 1891 and RCW 10.19.105; repealing section 175, page 128, Laws of 1854, section 215, page 230, Laws of 1873, section 1166, Code of 1881 and RCW 10.19.110; and repealing section 176, page 129, Laws of 1854, section 1167, Code of 1881, section 88, chapter 28, Laws of 1891 and RCW 10.19.120.

Referred to Judiciary Committee.

## SENATE BILL NO. 2832, by Senators Walgren, Sandison and Metcalf:

An Act relating to fishing from the Hood Canal bridge; and amending section 2, chapter 240, Laws of 1963 and RCW 47.56.366.

Referred to Committee on Transportation and Utilities.

## SENATE BILL NO. 2833, by Senator Durkan:

An Act relating to docks for single family residences; and amending section 3, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.030.

Referred to Committee on Ecology.

## SENATE BILL NO. 2834, by Senators Walgren and Gardner:

An Act relating to the screening of certain school children in order to identify any of such children with specific learning disabilities; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; and creating a new section.

Referred to Committee on Education.

## SENATE BILL NO. 2835, by Senators Rasmussen, Gardner and Peterson (Ted):

An Act relating to the sale or lease of municipal utilities; and adding a new section to chapter 35.94 RCW.

Referred to Committee on Local Government.

SENATE CONCURRENT RESOLUTION NO. 121, by Senators Rasmussen and Metcalf:

Providing for a study of the effects of proposed ratification of the federal equal rights amendment.

Referred to Committee on Constitution and Elections.

## MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 11:40 a.m.

## MOTION

On motion of Senator Fleming, Engrossed House Bill No. 291 was ordered to hold its place on the third reading calendar for Thursday, March 15, 1973.

## THIRD READING

ENGROSSED HOUSE BILL NO. 601, by Representatives Parker, King, Erickson, Rabel, Fortson, Warnke, Bender, Clemente and Maxie:

Revising voter registration procedures.

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

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 601, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; absent or not voting, 5.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—31.

Voting nay: Senators Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Murray, Newschwander, Peterson (Ted), Sellar, Twigg, Wanamaker, Woodall—13.

Absent or not voting: Senators Atwood, Francis, Henry, Stender, Whetzel—5.

ENGROSSED HOUSE BILL NO. 601, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Senator Scott, Senators Atwood, Stender and Whetzel were excused.

Senator Woodall moved that Engrossed Senate Bill No. 2101 be placed on the third reading calendar for Thursday, March 15, 1973.

Debate ensued.

The motion by Senator Woodall carried. Engrossed Senate Bill No. 2101 was ordered to hold its place on the third reading calendar for Thursday, March 15, 1973.

## CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

## MOTION

On motion of Senator Knoblauch, the appointment of RALPH MACKEY as a member of the Washington State Parks and Recreation Commission was confirmed.

## APPOINTMENT OF RALPH MACKEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Excused: Senators Atwood, Stender, Whetzel—3.

#### MOTION

Senator Grant moved that the appointment of Fred Haley as a member of the Public Disclosure Commission be confirmed.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Grant yield? Senator Grant, did this man appear before a committee? Was he talked to, questioned as to his philosophy on administering 276 by anyone?"

Senator Grant: "No, Senator Woodall. Mr. Haley at our hearing indicated that he would have to be in California when the hearing on the question of appointments to this commission came up. Prior to the hearing, however, we did ask him and the other commission members to present us with information that is required of all elected officials. They responded. He sent us in addition a complete biographical background sheet that was available for members of the committee at the hearing."

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Woodall yield to a question? Are you a member of Constitution and Elections?"

Senator Woodall: "No, I am not."

Senator Ridder: "Thank you."

Senator Woodall: "Are you?"

Senator Ridder: "My remarks are not pertinent in that direction."

Further debate ensued.

#### APPOINTMENT OF FRED HALEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; absent or not voting, 3; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Henry, Metcalf, Newschwander—3.

Excused: Senators Atwood, Stender, Whetzel—3.

The motion by Senator Grant carried and the appointment of Fred Haley was confirmed.

#### MOTION

On motion of Senator Washington, the appointment of MRS. JEAN DAVIS as a member of the Public Disclosure Commission was confirmed.

#### APPOINTMENT OF MRS. JEAN DAVIS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—44.

Absent or not voting: Senators Henry, Woodall—2.

Excused: Senators Atwood, Stender, Whetzel—3.

#### MOTION

On motion of Senator Washington, the appointment of KENNETH KENNEDY as a member of the Public Disclosure Commission was confirmed.

#### APPOINTMENT OF KENNETH KENNEDY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 46; excused 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Excused: Senators Atwood, Stender, Whetzel—3.

#### MOTION

On motion of Senator Sandison, the appointment of DR. WERNER QUAST as a member of the Public Disclosure Commission was confirmed.

#### APPOINTMENT OF DR. WERNER QUAST

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—45.

Absent or not voting: Senator Woodall—1.

Excused: Senators Atwood, Stender, Whetzel—3.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2095, by Senators Bailey, Fleming and Lewis (Harry):  
Allowing port districts to select a treasurer other than the county treasurer.

#### REPORT OF STANDING COMMITTEE

February 17, 1973.

SENATE BILL NO. 2095, allowing port districts to select a treasurer other than the county treasurer (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 9, after "the" and before "designate" strike "commission by resolution may" and insert "treasurer may authorize the commission, by resolution, to".

On page 1, section 1, line 11, after "district" and before the period insert "to act with the same powers and under the same restrictions as provided by law for a county treasurer acting on behalf of a port district".

On page 1, section 1, line 11, after "if the" and before "is not" strike "treasurerr" and insert "treasurer".

On page 1, section 1, line 12, before "it shall" strike "treasure" and insert "treasurer".

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

The bill was read the second time by sections.

Senator Fleming moved adoption of the committee amendment to page 1, section 1, line 9.

#### POINT OF INQUIRY

Senator Guess: "Would Senator Fleming yield? Senator Fleming, would you say that the county treasurer has to approve this? Is this right?"

Senator Fleming: "Yes, he would have to. What happened, Senator Guess, is that in Senator Bailey's area they had some problems. In some of these areas the port has more treasury activities and moneys than the county itself. Sometimes it gets a little out of hand and the county treasurer is overworked, and they wanted to be able to designate the port to hire its own treasurer, but we felt as though the county treasurer himself should authorize this."

Senator Guess: "Well, is this going to relieve the counties of the necessity to have auditors on these jobs?"

Senator Fleming: "From my understanding, I do not think it would relieve them from having this because they would continue to have the same work. They would just be relieved of some of the work from the port commission, that is all."

Senator Guess: "Thank you."

#### POINT OF INQUIRY

Senator Guess: "Senator Bailey, would the county treasurer then establish the procedures by which the port treasurer would operate? Is this a part of the bill?"

Senator Bailey: "Senator Guess, this is definitely the intent of the bill. They would establish the procedure. They would not have a wide open way to spend money because they are still subject to the laws of the state of Washington insofar as expenditures of public funds go."

Senator Guess: "Thank you, Senator Bailey."

The motion by Senator Fleming carried and the committee amendment to page 1, section 1, line 9 was adopted.

On motion of Senator Fleming, the remaining committee amendments were adopted, the last two being considered simultaneously.

On motion of Senator Fleming, Engrossed Senate Bill No. 2095 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2095, and the bill passed the Senate by the following vote: Yeas, 32; nays, 14; excused, 3.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Marsh, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—32.

Voting nay: Senators Bottiger, Day, Grant, Guess, Keefe, Lewis (Bob), Mardesich, Matson, Metcalf, Rasmussen, Sellar, Twigg, Wanamaker, Woodall—14.

Excused: Senators Atwood, Stender, Whetzel—3.

ENGROSSED SENATE BILL NO. 2095, having received the 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. 2425, by Senators Odegaard, Grant and Henry:

Implementing the law relating to write-in voting at primaries and general elections.

The bill was read the second time by sections.

On motion of Senator Odegaard, the following amendment was adopted:

On page 1, section 1, line 21 after "candidate's name" strike everything down to the period on line 24 and insert "*AND PROVIDED FURTHER, That in the instance of a partisan office only those write-in votes constituting the greatest number of a single political party designation shall be valid for counting purposes when the canvassing authority certifies the official election returns*".

On motion of Senator Odegaard, Engrossed Senate Bill No. 2425 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2425, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 3; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Donohue, Francis, Scott—3.

Excused: Senators Atwood, Stender, Whetzel—3.

ENGROSSED SENATE BILL NO. 2425, having received the 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

At 12:40 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### SECOND READING

SENATE BILL NO. 2306, by Senators Woody, Atwood and Van Hollebeke:

Authorizing legislative authority of a county to employ an attorney for legal services.

#### REPORT OF STANDING COMMITTEE

February 15, 1973.

SENATE BILL NO. 2306, authorizing legislative authority of a county to employ an attorney for legal services (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8, after "may" and before "contract" insert ", with the consent of the prosecuting attorney of the county,".

On page 1, line 26, strike new section 2 in its entirety and insert: "Sec. 2. Section 36.32.200, chapter 4, Laws of 1963 and RCW 36.32.200 are each amended to read as

follows: *Except as provided in section 1 of this 1973 amendatory act*, it shall be unlawful for the board of county commissioners to employ, contract with, or pay any special attorney or counsel to perform any duty which the attorney general or any prosecuting attorney is authorized or required by law to perform, unless the contract of employment of such special attorney or counsel has been first reduced to writing and approved by the superior court judge of the county or a majority of the judges in writing endorsed thereon. This section shall not prohibit the appointment of deputy prosecuting attorneys in the manner provided by law."

In line 2 of the title after "RCW; and" and before "section" strike "repealing" and insert "amending".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Murray, Talley, Whetzel.

The bill was read the second time by sections.

Senator Fleming moved adoption of the committee amendment to page 1, section 1, line 8.

#### POINT OF INQUIRY

Senator Guess: "Would Senator Fleming yield? Senator Fleming, it seems to me that the amendment is really going to keep the county commissioners from hiring their own attorney. Any prosecuting attorney who has a pride in his office would tell the commissioners no. Now I was all for the bill like it was submitted by the Senator when it came in. I had had requests from some of my smaller counties, because they have not been serviced by the prosecuting attorney. In one instance the county commissioners were of a different party from the prosecuting attorney and they got at cross purposes. And so I like the idea and now I hate like everything to see us come in and take the heart right out of the bill."

Senator Fleming: "Senator Guess, I can understand what you are saying because I know you were there at the committee meeting. As committee chairman I have no great pride of authorship in this committee amendment. There were several members of my committee and I forget which ones they were, that indicated that they felt as though this should be in there because they did get a lot of testimony from the prosecutors themselves, that they did not want this taken away from them, although the benefit of this would be for those smaller counties rather than the large counties."

The motion by Senator Fleming carried and the committee amendment to page 1, section 1, line 8 was adopted.

On motion of Senator Fleming, the committee amendment to page 1, section 1, line 26 was adopted.

On motion of Senator Fleming, the committee amendment to the title was adopted.

On motion of Senator Fleming, Engrossed Senate Bill No. 2306 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2306, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 4; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Absent or not voting: Senators Dore, Durkan, Francis, Scott—4.

Excused: Senators Atwood, Stender, Whetzel—3.

ENGROSSED SENATE BILL NO. 2306, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Donohue, Senate Bill No. 2346 was ordered to hold its place on the second reading calendar for Thursday, March 15, 1973.

#### SECOND READING

SENATE BILL NO. 2407, by Senators Sandison, Atwood, Durkan and Donohue:

Establishing a higher education assistance authority and setting out its powers, duties and functions.

#### MOTIONS

On motion of Senator Sandison, Substitute Senate Bill No. 2407 was substituted for Senate Bill No. 2407 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Sandison, Substitute Senate Bill No. 2407 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Sandison yield? Senator, would you please explain what involvement there is in state funds, if any?"

Senator Sandison: "The only involvement in state funds is a two hundred and fifty thousand dollar appropriation to get the operation going to set up and staff the lending authority. From then on they will be allowed to sell bonds so that will be the final state contribution."

Senator Canfield: "Will the state ever be repaid for this two hundred and fifty thousand?"

Senator Sandison: "There is nothing in there because of the uncertainty. They do not know how many students would not be able to pay back immediately. There is nothing in there to make a pay back. You may recall, in Ways and Means this matter was considered and it was the consensus of the committee that probably because of the extended payment and the contingencies of our economic situation, that it would not be feasible to have a rapid pay back."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Sandison yield to a further question? Senator Sandison, in your opinion this will not conflict with the state Constitution regarding the loaning of the state's money?"

Senator Sandison: "Senator Rasmussen, I attended the same law school you did so my opinion on this probably is not the greatest in the world, but the best that we can ascertain from the Attorney General and from bond counsel is that this would not be in conflict."

Senator Rasmussen: "My second question is, why did the federal government phase out of this program?"

Senator Sandison: "They thought this would be a better program if administered by the state rather than by the federal government. They will only be in the position of guarantor much as the Federal Housing Administration is or in the old days the Veterans' Administration was on GI loans."

Senator Rasmussen: "The reason that I wondered why they had phased out is because there was such a tremendous loss in these student loans that they were not collecting, they have put on a new group of employees in order to track down these people that have borrowed from the student loan fund and, is the state going to have to guarantee all the losses?"



Senator Sandison: "No, the losses are all covered by the federal government. Initially when the federal government went into this program I think there was a lot of looseness in their lending practices and they do have about a four percent rate of noncollectibility. But I think that it can be handled and the New York picture, I think, has proven that even in a state such as New York, it can be handled and the money can be loaned out in a rational manner and collected back."

Senator Rasmussen: "Thank you."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2407, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 3; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Dore, Francis, Scott—3.

Excused: Senators Atwood, Stender, Whetzel—3.

SUBSTITUTE SENATE BILL NO. 2407, having received the 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. 2488, by Senators Van Hollebeke, Woody, Atwood, Mardesich, Greive, Walgren and Twigg:

Amending the implied consent law to permit a person who has refused the test to plead guilty and keep his license.

The bill was read the second time by sections.

Senator Woody moved adoption of the following amendment:

On page 4, after subsection (6), add a new subsection as follows:

*"(7) The revocation of driving privileges under this section shall be considered as a conviction for the purpose of eligibility for an occupational driver's license as determined under chapter 5, Laws of 1973 and chapter 46.20."*

#### POINT OF ORDER

Senator Grant: "Mr. President, my point of order is that the amendment, I believe, expands the scope and object of Senate Bill No. 2488 which relates to the implied consent law, and I think this goes into the question of occupational drivers' licenses which is an entirely different question."

#### MOTION

On motion of Senator Lewis (Harry), Senate Bill No. 2488, the amendment moved for adoption by Senator Woody, and the Point of Order by Senator Grant were ordered held for further consideration on Thursday, March 15, 1973.

#### SECOND READING

SENATE BILL NO. 2294, by Senators Whetzel and Henry (by Secretary of State request):

Implementing laws relating to the secretary of state.

The bill was read the second time by sections.

Senator Rasmussen moved adoption of the following amendment:

On page 1, section 1, strike all the matter on lines 8 through 16 and insert: "*The secretary of state's revolving fund is hereby abolished.*"

There is created within the state treasury a revolving fund, to be known as the ["secretary of state's revolving fund,"] "*Washington state librarian's revolving fund,*" which shall be used by the office of the [secretary of state] *state librarian* to defray the costs of printing, reprinting, or distributing printed matter authorized by law to be issued by the office of secretary of state. *The state librarian is hereby authorized to charge a fee for such publications in an amount which will compensate for the costs of printing, reprinting, and distributing such printed matter. Fees recovered shall be placed in the Washington state librarian's revolving fund.*"

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Rasmussen yield to a question? Senator, would you explain how this amendment relates to the original purpose of the bill?"

Senator Rasmussen: "The original purpose of the bill was to allow the Secretary of State to reproduce and sell certain documents such as the corporations list and so forth that register with his office. This is a very fine purpose and we have no objection to that, but the amendment moves it over into the document center in the Washington State Library where all documents are presently distributed. It still leaves the distribution of session laws, as provided by law, in the Secretary of State's Office."

Senator Lewis (Harry): "Senator Rasmussen, have you checked with the Secretary of State on this? Is he in agreement or is this just your individual idea?"

Senator Rasmussen: "No, I have not checked with the Secretary of State. It was the legislature that decided they wanted all documents, the sale of all documents and distribution handled in one center. Just as the Budget Committee has recommended that the Forms Committee propose."

#### MOTION

On motion of Senator Lewis (Harry), Senate Bill No. 2294, together with the pending amendment by Senator Rasmussen, was ordered held for further consideration on Thursday, March 15, 1973.

SENATE BILL NO. 2625, by Senators Metcalf, Grant, Rasmussen and Canfield:  
Requiring Senate confirmation of certain appointees be at first opportunity.

#### MOTION

On motion of Senator Grant, Senate Bill No. 2625 was referred to the Committee on Constitution and Elections.

#### SECOND READING

SENATE BILL NO. 2392, by Senators Gardner, Murray, Ridder and Wanamaker:  
Implementing the law relating to intermediate school districts.

#### REPORT OF STANDING COMMITTEE

February 8, 1973.

SENATE BILL NO. 2392, implementing the law relating to intermediate school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 12, section 17, line 3, strike "1977" and insert "1979".

On page 12, section 17, line 7, strike "1977" and insert "1979".

On page 12, section 18, line 24, following the period, add "Prior to November 1, 1974, the office of superintendent of public instruction shall make a study of the maintenance and

operation funding for intermediate districts, including the impact of funding arrangements contemplated in this 1973 act, and present its findings along with a model for future funding of intermediate school districts to the next regular session of the legislature.”

On page 12, section 20, line 32, strike “1977” and insert “1979”.

On page 13, section 20, line 5, strike “1974” and insert “1976”.

On page 13, section 20, line 16, strike “1977” and insert “1979”.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard.

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendments to page 12, section 17, lines 3 and 7 were adopted simultaneously.

On motion of Senator Gardner, the committee amendments to page 12, sections 18 and 20, were adopted.

On motion of Senator Gardner, the committee amendments to page 13, section 20, lines 5 and 16, were adopted simultaneously.

On motion of Senator Gardner, Engrossed Senate Bill No. 2392 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2392, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting; excused, 3.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senator Bottiger—1.

Absent or not voting: Senators Dore, Francis, Scott—3.

Excused: Senators Atwood, Stender, Whetzel—3.

ENGROSSED SENATE BILL NO. 2392, having received the 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 Senator Mardesich, Engrossed Senate Bill No. 2183 was ordered to hold its place on the second reading calendar for Thursday, March 15, 1973.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 118, by Senators Ridder, Fleming, Connor and Dore:

Memorializing Congress with respect to Seattle’s public service hospital.

The memorial was read the second time in full.

On motion of Senator Day, Senate Joint Memorial No. 118 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 118, and the memorial passed the Senate by the following vote: Yeas, 41; nays, 3; absent or not voting, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—41.

Voting nay: Senators Guess, Lewis (Harry) and Scott—3.

Absent or not voting: Senators Dore, Francis—2.

Excused: Senators Atwood, Stender, Whetzel—3.

SENATE JOINT MEMORIAL NO. 118, having received the constitutional majority, was declared passed.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 14, 1973.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 502, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 502, by Representatives Savage, Benitz and Kilbury: Implementing laws relating to nuclear thermal power facilities.

#### MOTION

On motion of Senator Canfield, Engrossed House Bill No. 502 was referred to the Committee on Rules.

#### MOTION

At 2:15 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, March 15, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## SEVENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, March 15, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Herr, Scott, Stender and Whetzel. There being no objection, Senator Herr was excused.

The Color Guard, consisting of Pages Brian Kenney and Cathy Miller, presented the Colors. Reverend Thomas Hesselbrock, associate pastor of St. Michael's Church of Olympia, offered the following prayer:

"ALMIGHTY FATHER, BE PRESENT NOW IN THE MIDST OF OUR ASSEMBLY. CHANGE US INTO THAT IMAGE AND LIKENESS OF YOU THAT YOU HAVE CREATED US TO BE; NOT THE IMAGE OF ENVY, BITTERNESS, AND JEALOUSY, BUT THE IMAGE OF YOUR PRESENCE WE CAST ALWAYS REFLECTS YOUR PRESENCE IN OUR LIVES IN ALL THAT WE DO, AND ESPECIALLY IN OUR SERVICE IN OUR LIVES IN ALL THAT WE DO, AND ESPECIALLY IN OUR SERVICE TO OUR FELLOW CITIZENS. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of The Sandbaggers, a group of businessmen from Longview, Washington and appointed a special committee consisting of Senators Talley, Mardesich, Bailey, Odegaard, Guess, Matson, Clarke, Sellar and Jolly, to escort the honored guests to a place of honor upon the rostrum.

On motion of Senator Talley, the following resolution was unanimously adopted:

### SENATE RESOLUTION 1973-41

By Senator Talley:

WHEREAS, Fifty years ago there was born in Cowlitz County one of the few new

cities to be established in the West during the 20th century—the city of Longview; and

WHEREAS, Longview, founded by the Long-Bell Lumber Company, has always been an industrial and port city, having on its waterfront Weyerhaeuser's largest operation, Reynolds Metals Company, the Longview Fibre Company, and International Paper Company, providing year-round employment for more than 11,000 workers; and

WHEREAS, This industrial development has contributed greatly to the growth and well-being of Southwest Washington, and at the same time has provided a showplace of planned civic development as succeeding generations carried out the orderly growth pattern laid out by planners in 1923;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate, in order to honor and recognize the achievements of the city of Longview on the occasion of its Golden Anniversary, does hereby declare this to be Longview Day, and in so doing congratulates the people of Longview, especially those modern-day pioneers who have been residents of the city since 1923, for their part in Washington's development, and to wish them well as they move into the second half of their first century.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to the Mayor of the city of Longview and members of the Longview City Council.

#### PRESENTATION FROM CITY OF LONGVIEW

Business was suspended to permit the Mayor Pro Tempore of Longview, Jack McCullough, to address the Senate. A tie tack and ash tray were presented to the President of the Senate as a token from the City of Longview commemorating their fiftieth anniversary celebration in June, 1973.

The honored guests were escorted from the Senate Chamber.

There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

February 27, 1973.

SENATE BILL NO. 2598, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass as amended and refer to the Committee on Ways and Means.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Peterson (Ted), Rasmussen.

There being no objection, Senate Bill No. 2598 was referred to the Committee on Ways and Means.

March 15, 1973.

SENATE BILL NO. 2627, providing that irrigation districts may purchase and dispose of electronic power under certain conditions (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Day, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE GOVERNOR

Office of the Governor, March 14, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 14, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2033: Recounting of state ballot measures to be at state expense.

SENATE BILL NO. 2039: Requiring ramps on curbs for physically handicapped.

SENATE BILL NO. 2042: Relating to allowance of attorney fees as costs in certain actions and under certain conditions.

SENATE BILL NO. 2053: Changing date for organizational meeting of county central committees.

SENATE BILL NO. 2074: Allowing fire district commissioners to waive compensation.

SENATE BILL NO. 2179: Authorizing the use of rental guarantee insurance in place of surety bonds in the lease of port district property.

SENATE BILL NO. 2246: Requiring slow moving vehicles to turn off roadways under certain conditions.

SENATE BILL NO. 2252: Eliminating the filing requirement for articles of incorporation by a foreign corporation.

SENATE BILL NO. 2253: Authorizing filing of annual report by domestic and foreign corporations which substantially complies with statute.

SENATE BILL NO. 2257: Increasing filing costs from two to five dollars under the non-resident motor vehicle law.

SENATE BILL NO. 2275: Changing the effective date of the Uniform Alcoholism and Intoxication Act.

SENATE BILL NO. 2340: Providing for adoption of rules and regulations of the department of fisheries according to the administrative procedure act.

SENATE BILL NO. 2415: Defining "ground waters."

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

#### MESSAGE FROM THE GOVERNOR

#### GUBERNATORIAL APPOINTMENT

Office of the Governor, February 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Tom Dixon, appointed February 20, 1973, for a term ending March 15, 1977, succeeding A. E. Saunders as a member of the Board of Trustees of Evergreen State College.

Sincerely,

DANIEL J. EVANS

Governor.

Referred to Committee on Higher Education.

#### MESSAGES FROM THE HOUSE

March 14, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2287,

SUBSTITUTE SENATE BILL NO. 2037, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 14, 1973.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 120, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 14, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 51,

ENGROSSED HOUSE BILL NO. 76,  
 REENGROSSED HOUSE BILL NO. 84,  
 ENGROSSED HOUSE BILL NO. 105,  
 ENGROSSED HOUSE BILL NO. 124,  
 SUBSTITUTE HOUSE BILL NO. 221,  
 ENGROSSED HOUSE BILL NO. 294,  
 HOUSE BILL NO. 418,  
 HOUSE BILL NO. 442,  
 ENGROSSED HOUSE BILL NO. 460,  
 HOUSE BILL NO. 483,  
 ENGROSSED HOUSE BILL NO. 638,  
 HOUSE BILL NO. 668,  
 ENGROSSED HOUSE BILL NO. 726, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:  
 SUBSTITUTE SENATE BILL NO. 2037,  
 SENATE BILL NO. 2287.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2836, by Senators Francis and Scott:  
 An Act relating to insurance; and adding new sections to chapter 48.01 RCW.  
 Referred to Committee on Social and Health Services.

SENATE BILL NO. 2837, by Senators Francis and Scott:  
 An Act relating to public health; and adding new sections to chapter 28A.31 RCW.  
 Referred to Committee on Social and Health Services.

SENATE BILL NO. 2838, by Senator Francis:  
 An Act relating to deeds of trust; amending section 4, chapter 74, Laws of 1965 as amended by section 1, chapter 30, Laws of 1967 and RCW 61.24.040; and amending section 5, chapter 74, Laws of 1965 and RCW 61.24.050.  
 Referred to Judiciary Committee.

SENATE BILL NO. 2839, by Senators Dore and Clarke:  
 An Act relating to financial institutions; adding a new chapter to Title 19 RCW; prescribing penalties; and making an effective date.  
 Referred to Committee on Financial Institutions.

SENATE BILL NO. 2840, by Senators Marsh and Henry:  
 An Act relating to employees on public works; and amending section 1, chapter 28, Laws of 1972 ex. sess. and RCW 39.16.005.  
 Referred to Committee on Labor.

SENATE BILL NO. 2841, by Senator Fleming:  
 An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and prescribing an effective date.  
 Referred to Committee on Ways and Means.

SENATE BILL NO. 2842, by Senator Rasmussen:  
 An Act relating to motor vehicles; and amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 248, Laws of 1971 ex. sess. and RCW 46.44.030.  
 Referred to Committee on Transportation and Utilities.



SENATE JOINT MEMORIAL NO. 122, by Senators Dore, Metcalf and Van Hollebeke: Memorializing Congress for constitutional convention relating to anti-bussing constitutional amendment.

## MOTION

On motion of Senator Dore, Senate Joint Memorial No. 122 was referred to Committee on State Government.

SENATE CONCURRENT RESOLUTION NO. 122, by Senators Canfield, Jolly, Marsh and Washington:

Requesting the Governor to form an agricultural study committee.

Referred to Committee on Agriculture.

There being no objection, the name of Senator Washington was permitted as an additional sponsor on Senate Concurrent Resolution No. 122.

SENATE CONCURRENT RESOLUTION NO. 123, by Senators Francis and Scott:

Requesting a study of alternative to legislative reapportionment.

Referred to Committee on Constitution and Elections.

HOUSE BILL NO. 51, by Representatives Newhouse, Moon and North (Lois) (by Legislative Council request):

Allowing two additional races at horse racing meets.

Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 76, by Representatives Bagnariol, Ceccarelli, Gaspard and Pardini:

Providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium.

Referred to Committee on Social and Health Services.

REENGROSSED HOUSE BILL NO. 84, by Representatives Barden, Bagnariol, Eikenberry, Curtis and Paris (by Joint Committee on Governmental Cooperation and State Treasurer request):

Establishing trust fund for funds not in state treasury but in custody of state treasurer.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 105, by Representatives Kopet, Moon, Patterson, King, Maxie and Barden (by Legislative Budget Committee and Joint Committee on Higher Education request):

Authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 124, by Representatives Adams, Ceccarelli, Swayze and Garrett (by Department of Motor Vehicles request):

Requiring applicant for real estate license to give certain information.

Referred to Committee on Commerce.

SUBSTITUTE HOUSE BILL NO. 221, by Judiciary Committee (originally sponsored by: Representatives Parker, Ellis, Luders, Adams, Clemente, Gaines, Laughlin, Hansen, North (Frances), Kilbury, Valle, Bausch, Knowles, Hurley, May, Savage, Anderson, Goltz, Maxie, Eng, Beck, Douthwaite, Kalich, Gallagher, Randall, Bauer, Haussler, Shinpoeh, Warnke, Bagnariol, McCormick, Rabel, Jastad, Ceccarelli, Chatalas, Van Dyk, Bender, Curtis, Fortson and Pardini):

Making it a crime to resell food stamps and food purchased therewith or to purchase resold stamps or food.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 294, by Representatives Thompson, Paris, Smith and Kilbury:

Providing for licensing of journeyman electricians.  
Referred to Committee on Labor.

HOUSE BILL NO. 418, by Representatives Ceccarelli, Bagnariol and Gaspard (by Department of General Administration request):

Providing additional regulations for bank and trust company investments.  
Referred to Committee on Financial institutions.

HOUSE BILL NO. 442, by Representatives Conner, Eikenberry, Ceccarelli, Chatalas, Bagnariol, Benitz, Freeman, Garrett, Hansen, Hendricks, Leckenby, Matthews, North (Lois), Paris, Polk, Smythe and Tilly:

Granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 460, by Representatives Lysen, North (Lois) and Douthwaite:

Authorizing mayors to designate a representative to fill their positions on municipal firemen's pension boards.

Referred to Committee on Local Government.

HOUSE BILL NO. 483, by Representatives Bagnariol, Kuehne, Perry and Julin:

Revising the application of the contractor's registration law.

Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 638, by Representatives Gaspard, Pardini and Bagnariol:

Providing for the regulation of debenture companies.

Referred to Committee on Financial institutions.

HOUSE BILL NO. 668, by Representatives Jastad, Kalich and Savage:

Regulating factory built commercial structures.

Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 726, by Representatives Randall, Bagnariol, Newhouse and Laughlin:

Exempting the sale of used mobile homes from the sales and use tax and imposing a one percent transfer tax.

Referred to Committee on Ways and Means.

#### MOTION

At 10:00 a.m., on motion of Senator Mardesich, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

#### MOTION

On motion of Senator Scott, Senators Atwood, Lewis (Harry) and Stender were excused.

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

March 14, 1973.

SENATE BILL NO. 2353, changing the format of ballot titles and petitions (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2401, providing for personalized license plates (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Gardner, Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2435, implementing the uniform alcoholism and intoxication treatment act (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Social and Health Services.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Fleming, Grant, Mardesich, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2555, reducing liquor tax from four to two cents per fluid ounce (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

## MOTION

On motion of Senator Rasmussen, Senate Bill No. 2555 was referred to the Committee on Ways and Means.

March 12, 1973.

SENATE JOINT MEMORIAL NO. 120, requesting continued federal funding of the Seattle/King County Alcohol Safety Action Project (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Murray, Twigg, Woodall.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE CONCURRENT RESOLUTION NO. 115, creating a special advisory committee to study problems relating to the use of voting devices and vote-tallying machines (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

## MESSAGE FROM THE HOUSE

March 14, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2111, with the following amendment:

On page 7, section 10, beginning on line 30 of the engrossed and printed bills, after "investments" strike all material down to and including "loans, [, or]" on line 32, and insert [which are at the time legal investments for savings and loan associations in this state, except first mortgage real estate loans, or] thus striking the amendment by the Senate Committee on Financial Institutions to page 7, section 10., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Walgren, the Senate refused to concur in the House amendment to Engrossed Senate Bill No. 2111, and asks the House to recede therefrom.

## MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 291 was ordered to hold its place on the third reading calendar for Friday, March 16, 1973.

## THIRD READING

ENGROSSED SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

Providing for the regulation and licensing of plumbers.

## MOTIONS

On motion of Senator Woodall, Engrossed Senate Bill No. 2101 was returned to second reading.

On motion of Senator Woodall, the following amendment was adopted:

On page 7, section 15, line 20 of the engrossed bill, being page 7, section 15, line 6 of the printed bill, after "him" and before the colon insert ". Any person performing plumbing work on a farm may do so without having a current certificate of competency or apprentice permit".

On motion of Senator Greive, Reengrossed Senate Bill No. 2101 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Bailey: "Mr. President, I have a question I would like to ask Senator Greive. Senator Greive, in this bill we have a grandfather clause that recognizes those engaged in the bona fide business of plumbing at the time of enactment of this act. The question I would like to ask is this: Do you consider a bona fide plumber a person who now is engaged in a business—it might be your local hardware man—that installs electric dishwashers and things of that sort? Is there any danger here that the department may rule this man is not a bona fide plumber and is not under the grandfather clause?"

Senator Greive: "It would seem to me that he is covered. As I understand, it is new section number eight. 'No examination shall be required of any applicant for a certificate of competency who, on the effective date of this act, was engaged in a bona fide business or trade of plumbing, or on said date,' then it goes into the question of journeymen and so forth. So it seems to me that if he could say that he was in the business of plumbing why he is all right."

Senator Bailey: "Senator Greive, is it then your idea the intent of this act is not to rule

out from the grandfather clause those people who have done plumbing as a part of their jobs, not necessarily as a prime part of their jobs, but as part of their jobs up to this time?"

Senator Greive: "I would say that those first three lines say just that."

Senator Bailey: "The intent is not to rule those people out of the grandfather clause?"

Senator Greive: "No."

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Greive yield to a question? Senator Greive, in the electricians' bill we incorporated an amendment relating to training received in a vocational school for two years. I think that Senator Gardner has been working on that and may have even spoken to you about it. Did we put into this bill with respect to plumbers a similar provision that one who has completed . . . ?"

Senator Greive: "Yes. The one in the plumbers' bill is more liberal than the electricians could afford to accept. In other words, electricians would have to be more restrictive than the plumbers' bill. We adopted all of the amendments on this one."

Senator Mardesich: "In the plumbers' bill there is a proviso that the attendance at vocational school would substitute for the apprentice program?"

Senator Greive: "That is right. Correct."

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 2101, and the bill passed the Senate by the following vote: Yeas, 30; nays, 15; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Dore, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Woody—30.

Voting nay: Senators Clarke, Donohue, Fleming, Guess, Jones, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Sellar, Twigg, Washington, Whetzel, Woodall—15.

Absent or not voting: Senator Durkan—1.

Excused: Senators Atwood, Lewis (Harry), Stender—3.

REENGROSSED SENATE BILL NO. 2101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Our vote for Senate Bill No. 2101 is with the express understanding, as per the question asked of Senator Greive, that the grandfather clause relating to "those engaged in the bona fide business of plumbing" refers to all engaged in business at the time of enactment of this act who engage in any plumbing practices as part of their business. It is with this legislative intent as expressed by Senator Greive and others on the Senate floor that we supported this bill.

Signed by: Senators Bailey and Sandison.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2346, by Senators Durkan, Atwood, Donohue and Murray (by Executive request):

Limiting property tax levies.

## MOTION

On motion of Senator Donohue, Substitute Senate Bill No. 2346 was substituted for Senate Bill No. 2346, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Donohue, the following amendments were adopted simultaneously:

On page 4, section 3, line 19, after "Sec. 3." strike the remainder of that line and insert "Section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973".

On page 5, section 4, line 32, after "Sec. 4." strike the remainder of that line and insert "Section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973".

On page 7, section 5, line 12, after "Sec. 5." strike the remainder of that line and insert "Section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973".

On motion of Senator Donohue, the following amendments were adopted:

On page 8, after section 5, beginning on line 27, add new sections as follows:

"Sec. 6. Section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973 and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the current use of the common schools, [other than the proceeds of the state property tax,] the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 to each school district of the state operating a program approved by the state board of education an amount which, when combined with the following revenues, will constitute an equal guarantee in dollars for each weighted pupil enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180:

(1) [Eighty-five] *Ninety-five* percent of the amount of revenues which would be produced by a levy of [fourteen] *eight* mills on the assessed valuation of taxable property within the school district adjusted to [twenty-five] *fifty* percent of true and fair value thereof as determined by the state department of revenue's indicated county ratio: PROVIDED, That the funds otherwise distributable under this section to any school district for any year shall be reduced by the difference between the proceeds from the actual school district tax levy in the district and the amount the maximum levy permissible for the district under [RCW 84.52.050] *section 1 of this 1973 amendatory act* as now or hereafter amended would produce irrespective of any delinquencies; and

(2) The receipts from the one percent tax on real estate transactions which may be imposed pursuant to chapter 28A.45 RCW: PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent; and

(3) [Eighty-five] *Ninety-five* percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) [Eighty-five] *Ninety-five* percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(5) [Eighty-five] *Ninety-five* percent of the proportion of the receipts from the tax imposed pursuant to RCW 82.04.291 upon harvesters of timber equal to the proportion that the millage rate for the regular property tax levy for such school district pursuant to [RCW 84.52.050] *section 1 of this 1973 amendatory act* as now or hereafter amended bears to the aggregate millage rate for all property tax levies for such school district, both regular and excess; and

(6) [Eighty-five] *Ninety-five* percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 7. Section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973 and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the current use of the common schools, [other than the proceeds of the state property tax,] the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 to each school district of the state operating a program approved by the state board of education an amount which, when combined with the following revenues, will constitute an equal guarantee in dollars for each weighted pupil enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180:

(1) [Eighty-five] *One hundred* percent of the amount of revenues which would be produced by a levy of [fourteen] *eight* mills on the assessed valuation of taxable property within the school district adjusted to [twenty-five] *fifty* percent of true and fair value thereof as determined by the state department of revenue's indicated county ratio: PROVIDED, That the funds otherwise distributable under this section to any school district for any year shall be reduced by the difference between the proceeds from the actual school district tax levy in the district and the amount the maximum levy permissible for the district under [RCW 84.52.050] *section 1 of this 1973 amendatory act* as now or hereafter amended would produce irrespective of any delinquencies; and

(2) The receipts from the one percent tax on real estate transactions which may be imposed pursuant to chapter 28A.45 RCW: PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent; and

(3) [Eighty-five] *One hundred* percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) [Eighty-five] *One hundred* percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(5) [Eighty-five] *One hundred* percent of the proportion of the receipts from the tax imposed pursuant to RCW 82.04.291 upon harvesters of timber equal to the proportion that the millage rate for the regular property tax levy for such school district pursuant to [RCW 84.52.050] *section 1 of this 1973 amendatory act* as now or hereafter amended bears to the aggregate millage rate for all property tax levies for such school district, both regular and excess; and

(6) [Eighty-five] *One hundred* percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support."

Renumber the remaining sections consecutively.

On page 17, section 19, line 3, after "effect." add the following:

"Section 6 of this 1973 amendatory act shall not be effective until July 1, 1975, at which time section 5 of this 1973 amendatory act shall be void and of no effect. Section 7 of this 1973 amendatory act shall not be effective until July 1, 1976 at which time section 6 of this 1973 amendatory act shall be void and of no effect."

On motion of Senator Donohue, the following amendment to the title was adopted:

On line 4 of the title after "section" and before "Laws of 1973" strike "... , chapter . . . (HB . . .)," and insert "28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46,".

On motion of Senator Donohue, Engrossed Substitute Senate Bill No. 2346 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2346, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senators Murray, Newschwander, Whetzel—3.

Absent or not voting: Senator Durkan—1.

Excused: Senators Atwood, Lewis (Harry), Stender—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2346, having received the 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. 2488, by Senators Van Hollebeke, Woody, Atwood, Mardesich, Greive, Walgren and Twigg:

Amending the implied consent law to permit a person who has refused the test to plead guilty and keep his license.

The Senate resumed consideration of Senate Bill No. 2488 and the Point of Order raised by Senator Grant on Wednesday, March 14, 1973 on the following amendment by Senator Woody which was moved for adoption on that day:

On page 4 after subsection (6) add a new subsection as follows:

*"(7) The revocation of driving privileges under this section shall be considered as a conviction for the purpose of eligibility for an occupational driver's license as determined under chapter 5, Laws of 1973 and chapter 46.20 RCW."*

#### RULING BY THE PRESIDENT

The President: "In ruling on the point of order as raised by Senator Grant, the President finds that Senate Bill No. 2488 is a measure which pertains solely to the issue of whether or not a driver's license shall be suspended in the event an accused offender refuses to submit to chemical or blood tests to determine alcohol content in his blood. This measure does not concern itself in any manner with occupational drivers' licenses which were the subject of Senate Bill No. 2055 previously passed by the Senate during this session.

"The amendment proposed by Senator Woody, however, pertains to the right to obtain an occupational driver's license and further provides that if a driver's privilege is suspended for refusing to submit to certain chemical or blood tests that such suspension shall be a 'conviction' within the terms of Senate Bill No. 2055, now chapter 5, Laws of 1973.

"The amendment does, therefore, increase the scope and object of the bill."

The amendment by Senator Woody was ruled out of order.

Senator Washington moved adoption of the following amendment:

On page 1, section 1, line 24, strike "*or of being in actual physical control of*".

Debate ensued.

#### MOTION

Senator Van Hollebeke moved that the amendment by Senator Washington be laid upon the table.

Senator Washington demanded a roll call and the demand was sustained by Senators Guess, Canfield, Ridder, Bottiger, Odegaard, Talley, Lewis (Bob), Scott and Metcalf.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Van Hollebeke failed by the following vote: Yeas, 13; nays, 33; absent or not voting, 1; excused, 2.

Voting yea: Senators Connor, Dore, Fleming, Greive, Herr, Marsh, Matson, Peterson (Lowell), Rasmussen, Twigg, Van Hollebeke, Woodall, Woody—13.

Voting nay: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Francis, Gardner, Grant, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob),



Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Wanamaker, Washington, Whetzel—33.

Absent or not voting: Senator Durkan—1.

Excused: Senators Atwood, Stender—2.

The motion by Senator Washington carried and the amendment was adopted.

Senator Metcalf moved adoption of the following amendment:

On page 2, section 1, lines 29 through 31, strike all of the underlined material.

Debate ensued.

The motion by Senator Metcalf failed and the amendment was not adopted on a rising vote.

On motion of Senator Washington, the following amendments were adopted:

On page 2, on lines 10 and 11, strike "*or of being in actual physical control of*".

On page 2, line 22, strike "*or of being in actual physical control of*".

On page 2, lines 30 and 31, strike "*or of being in actual physical control of*".

On page 3, lines 19 and 20, strike "*or of being in actual physical control of*".

On page 3, lines 24 and 25, strike "*or of being in actual physical control of*".

On motion of Senator Francis, Engrossed Senate Bill No. 2488 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Metcalf: "Would Senator Francis yield to a question? My question relates to the statement you made a few minutes ago that the problem of driving without a license is taken care of elsewhere. Did you mean elsewhere in this bill or elsewhere in the law? I would like to have you explain just where that problem is taken care of."

Senator Francis: "Senator Metcalf, I do not know the citation. However, I can get it for you. But it is elsewhere in the law. There are pretty strict rules and penalties applied for driving while a license is suspended and for driving while a license is revoked. I do not believe it is covered anywhere in this bill."

Senator Metcalf: "Thank you, Senator Francis. That is the point I wanted to check on, if that was part of this bill, because I had not seen it. I think this is a real problem that we need to look at, at a future time."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2488, and the bill passed the Senate by the following vote: Yeas, 29; nays, 16; absent or not voting, 2; excused, 2.

Voting yea: Senators Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Newschwander, Peterson (Lowell), Rasmussen, Ridder, Stortini, Twigg, Van Hollebeke, Walgren, Whetzel, Woodall, Woody—29.

Voting nay: Senators Bailey, Bottiger, Canfield, Guess, Jolly, Lewis (Bob), Metcalf, Murray, Odegaard, Peterson (Ted), Sandison, Scott, Sellar, Talley, Wanamaker, Washington—16.

Absent or not voting: Senators Donohue, Durkan—2.

Excused: Senators Atwood, Stender—2.

ENGROSSED SENATE BILL NO. 2488, having received the 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 Senator Marsh, the following resolution was adopted:

## SENATE RESOLUTION 1973-43

By Senators Marsh, Talley and Henry:

WHEREAS, Larry Cassidy, a sports fishing spokesman from Vancouver, Washington, was recently named by the governor to a position on the State Game Commission; and

WHEREAS, Larry Cassidy has been very active in game and environmental groups, serving as national vice president and executive board member of Trout Unlimited, president of the Northwest Steelheaders Council and of its Vancouver chapter, a member of the Fly Fishing Federation, Ducks Unlimited, and the Vancouver Wildlife League, and an organizer of the Southwest Washington Environmental Action Team (SWEAT); and

WHEREAS, The State Game Commission sets overall policy and rules and regulations pertaining to hunting, fishing and wildlife in the state;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commends and congratulates Larry Cassidy on his appointment to the State Game Commission; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the secretary of the Senate to the Honorable Governor Daniel J. Evans and to Larry Cassidy.

## REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, for your committee chairmen and also for the members, next week on those committees that are scheduled at the two to four hours for committee meetings, we will be cutting that down to one hour from three to four; and for those committees that are scheduled at the ten-thirty to twelve a.m. hour for committee meetings, we are eliminating that hour for committee meetings. They will have to move up to the eight a.m. to nine-thirty a.m. if they can fit in there. And if there are too many conflicts they will have to hold their meetings in the evening. The reason for this, of course, is for us to have more time for floor work on the critical issues that we have before us for the next week."

## MOTION

At 2:30 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, March 16, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, March 16, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Greive, Newschwander, Stender, Twigg and Walgren. On motion of Senator Ridder, Senator Greive was excused.

The Color Guard, consisting of Pages William Ramsay and Pamela Hunter, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"HEAR, O LORD, OUR PRAYER. MOSES, YOUR SERVANT, LED THE ISRAELITES FROM SLAVERY TO THE PROMISED LAND. YOU MADE AMERICA A PROMISED LAND FOR MILLIONS SEEKING FREEDOM FROM THE SLAVERY OF POVERTY, OF RELIGIOUS PERSECUTION AND DICTATORSHIP. THIS WEEKEND AS OUR THOUGHTS TURN TO IRELAND AND ITS PEOPLE AS THEY HONOR PATRICK WHO LIKE MOSES LED THEM TO YOU, O LORD, WE GIVE THANKS FOR WHAT AMERICA HAS GIVEN TO THE IRISH EMIGRANT AND WE GIVE THANKS FOR WHAT THE EMIGRANT AND HIS CHILDREN HAVE GIVEN TO THE VARIOUS STATES IN OUR LAND. HEAL THE WOUNDS OF DIVISION IN THAT TROUBLED LAND AND HELP US WHATEVER OUR NATIONAL AND RELIGIOUS BACKGROUNDS, TO WORK TOGETHER TO MAKE OUR COUNTRY THE LEADER NOT SO MUCH IN ITS WEALTH AS IN ITS PURSUIT OF PEACE, OF JUSTICE AND FREEDOM. HELP US TO LEARN FROM IRELAND OF TODAY THAT INJUSTICE AND EXPLOITATION LEFT TO FESTER WILL POUR POISON AND DEATH INTO THE BODY POLITIC. SAVE ALL OF US BY GIVING US LEADERS WITH THE SPIRIT OF PATRICK. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

March 14, 1973.

SENATE BILL NO. 2043, providing for jurisdiction in certain actions for divorce, annulment or separate maintenance (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Dore, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2420, pertaining to public utility tax deductions (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Jolly, Knoblauch, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2523, changing certain of the laws relating to insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2524, making certain changes in the laws relating to insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2526, authorizing uniform minimum standards for insurance contract forms (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2535, providing for continuing court jurisdiction in divorce actions (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Dore, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2589, setting maximum fees and interest chargeable by pawnbrokers (reported by Committee on Financial Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 2589 be substituted therefor and the substitute bill do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2656, providing savings and loan association may act as a trustee (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2667, authorizing public bodies to deposit the retained percentage funds on public works contracts in a bank (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2674, providing for alien banks in Washington (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENT

March 15, 1973.

MRS. KAY GREEN, to the position of member of the Parks and Recreation Commission of Washington State, appointed by the Governor on February 19, 1973 for the term ending December 31, 1978, succeeding Eleanor Berger (reported by the Committee on Parks and Recreation):

Recommends that said appointment be confirmed.

Signed by: Senators Knoblauch, Chairman; Bailey, Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

Office of the Governor, March 15, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have approved House Bill No. 240 entitled: "AN ACT Relating to alcohol beverage control."

This bill provides that for purposes of consumption of alcoholic beverages the legal age in the state of Washington shall be 19. Unfortunately, because the bill as originally submitted called for lowering the age to 18, a section of law was inadvertently repealed. This statute allowed 18-year-old persons to perform as professional musicians in establishments where alcoholic beverages were served.

When the bill was amended to change the age from 18 to 19, the repealer was not taken into account and was allowed to stand. Consequently, on the effective date of the act, many 18-year-old musicians will be unable to obtain employment in any establishment serving alcoholic beverages. Inasmuch as this was an unintended effect of this bill, I strongly urge you to favorably consider legislation that would once again allow 18-year-old musicians to perform professionally on premises licensed to serve alcoholic beverages.

Sincerely,  
DANIEL J. EVANS  
Governor,

## MESSAGES FROM THE HOUSE

March 15, 1973.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 374, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 15, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE SENATE BILL NO. 2037,  
SENATE BILL NO. 2287, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 15, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 137, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 15, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 287, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 15, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 364, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2843, by Senator Fleming:

An Act relating to local government; authorizing cities and towns to participate in and implement federally-assisted grant-in-aid programs; providing for public corporations, commissions, and authorities in connection therewith; and adding new sections to chapter 35.21 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2844, by Senator Fleming:

An Act relating to local government; authorizing cities and towns to participate in and implement federally-assisted grant-in-aid programs; and adding new sections to chapter 35.21 RCW.

Referred to Committee on Local Government.

SENATE BILL NO. 2845, by Senators Gardner and Metcalf:

An Act relating to signs on school bus stop shelters; and amending section 7, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.062.

Referred to Committee on Education.

SENATE BILL NO. 2846, by Senators Dore and Van Hollebeke:

An Act relating to horse racing; and adding a new section to chapter 67.16 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 2847, by Senators Ridder, Keefe, Grant and Matson:

An Act relating to alcoholic beverage control; and adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW.

Referred to Committee on Commerce.

There being no objection, additional sponsors were permitted on Senate Bill No. 2847.

SENATE BILL NO. 2848, by Senators Whetzel, Talley and Bailey:

An Act relating to sewer districts; amending section 6, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.120; and amending section 8, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.140.

Referred to Committee on Local Government.

SENATE BILL NO. 2849, by Senator Ridder:

An Act relating to the business and occupation tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; declaring an emergency; and providing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2850, by Senators Rasmussen and Guess:

An Act relating to motor vehicles; prohibiting hitchhiking; and amending section 38, chapter 155, Laws of 1965 as amended by section 1, chapter 38, Laws of 1972 ex. sess. and RCW 46.61.255.

Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 374, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification of operators of water supply systems.

Referred to Committee on Social and Health Services.

#### SECOND READING

SENATE BILL NO. 2294, by Senators Whetzel and Henry (by Secretary of State request):

Implementing laws relating to the secretary of state.

The Senate resumed consideration of Senate Bill No. 2294 and the following amendment by Senator Rasmussen which was moved for adoption on Wednesday, March 14, 1973:

On page 1, section 1, strike all the matter on lines 8 through 16 and insert:

*"The secretary of state's revolving fund is hereby abolished.*

There is created within the state treasury a revolving fund, to be known as the ["secretary of state's revolving fund,"] *"Washington state librarian's revolving fund,"* which shall be used by the office of the [secretary of state] *state librarian* to defray the costs of printing, reprinting, or distributing printed matter authorized by law to be issued by the office of secretary of state. *The state librarian is hereby authorized to charge a fee for such publications in an amount which will compensate for the costs of printing, reprinting, and distributing such printed matter. Fees recovered shall be placed in the Washington state librarian's revolving fund.*

The motion by Senator Rasmussen carried and the amendment was adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 1, section 2, beginning on line 19 strike all of the material down to and including "materials" on line 20 and insert:

*"The secretary of state is specifically prohibited from printing, reprinting, and distributing the following materials which shall be printed, reprinted and distributed by the state librarian through the state publications distribution center:"*

On motion of Senator Woody, the following amendment was adopted:

On page 1, section 2, line 22, after "Title" strike "23" and insert "23A".

On motion of Senator Rasmussen, Engrossed Senate Bill No. 2294 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2294, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senators Bailey, Newschwander, Ridder, Stender, Twigg, Walgren—6.

Excused: Senator Greive—1.

ENGROSSED SENATE BILL NO. 2294, having received the 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. 2544, by Senators Durkan, Peterson (Ted) and Connor:  
Providing for registration of contractors by the department of labor and industries.

#### REPORT OF STANDING COMMITTEE

February 28, 1973.

SENATE BILL NO. 2544, providing for registration of contractors by the department of labor and industries (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 1, after "carpeting" and before the comma, insert "*or other floor covering*".

On page 2, section 1, line 2, after "therewith" and before the semicolon insert "*or who installs or repairs roofing or siding*".

On page 6, section 6, line 21, strike "[or installation]" and insert "or installation".

On page 8, section 8, line 28, strike "[six] *seven*" and insert six".

On page 8, section 8, line 30, after "relations," and before "(5)" insert "*which division shall have responsibility for registration and regulation of contractors,*".

On page 8, section 8, line 31, after "apprenticeship," and before "(6)" strike "[and]" and insert "and".

On page 9, section 8, line 2, after "hotel inspection" strike all the matter down to and including "*18.27 RCW*" on line 5.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Gardner, Grant, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Scott.

The bill was read the second time by sections.

#### MOTIONS

On motion of Senator Durkan, the committee amendment to page 2, section 1, line 1, was adopted.

On motion of Senator Durkan, Senate Bill No. 2544 was ordered held for further consideration after Senate Bill No. 2497.

#### MOTION

At 9:50 a.m., on motion of Senator Bailey, the Senate recessed until 12:15 p.m.

#### NOON SESSION

The President called the Senate to order at 12:15 p.m.

#### SECOND READING

SENATE BILL NO. 2226, by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry (by Executive request):



Providing for changes in the relationship of landlord and tenant.

#### MOTIONS

On motion of Senator Atwood, Substitute Senate Bill No. 2226 was substituted for Senate Bill No. 2226 and the substitute bill was advanced to second reading and read the second time in full.

On motion of Senator Bottiger, Substitute Senate Bill No. 2226 was ordered placed at the beginning of the second reading calendar for Saturday, March 17, 1973.

There being no objection, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 124, by Senators Lewis (Harry) and Atwood:

Providing a schedule for the special session.

On motion of Senator Lewis (Harry), Senate Concurrent Resolution No. 124 was advanced to second reading and ordered placed on the second reading calendar for Saturday, March 17, 1973.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 291, by Representative Charette:  
Prohibiting private appraising by assistant and deputy assessors.

#### MOTION

Senator Fleming moved that if there were no objections, Engrossed House Bill No. 291 be returned to second reading.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Fleming yield to a question? Senator Fleming, what are you attempting to do here?"

Senator Fleming: "First of all, when we passed this measure there was some question about the assessors being able to moonlight in counties or out of counties where these deputies were appointed. The second amendment on the second page, strikes 'unanimous' and inserts 'majority' and I think in the process of doing that we undid what we were trying to do, because you have three individuals that are involved from three different departments in setting the rates that these deputy assessors would receive. Two of these members, the Department of Revenue and assessors could go together and set the rates without the county administrator having anything to say. So we felt as though it should have stayed as a unanimous vote rather than a majority vote. It came back for concurrence or not to concur before the regular session ended, and Senator Bailey, who is from the area of concern here, had talked to Representative Charette about this measure and we felt as though we should rescind from our amendment."

Senator Lewis (Harry): "Senator Fleming, do I understand you are just going to prohibit them from doing any moonlighting at all?"

Senator Fleming: "Right."

Senator Lewis (Harry): "I remove my objection, Mr. President."

The motion by Senator Fleming carried and Engrossed House Bill No. 291 was returned to second reading.

#### MOTION FOR RECONSIDERATION

On motion of Senator Fleming, the Senate moved to reconsider the vote by which an amendment by the Committee on Local Government to page 1, section 1, line 13 and an amendment by Senator Fleming to page 2, line 10, were adopted on February 28, 1973.

## MOTION

On motion of Senator Fleming, the two amendments, on reconsideration, were not adopted.

On motion of Senator Fleming, Engrossed House Bill No. 291 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 291, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 21; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Dore, Durkan, Fleming, Francis, Grant, Guess, Herr, Jones, Keefe, Lewis (Harry), Mardesich, Marsh, Ridder, Van Hollebeke, Woodall, Woody—21.

Voting nay: Senators Bottiger, Day, Donohue, Gardner, Henry, Jolly, Knoblauch, Lewis (Bob), Matson, Metcalf, Odegard, Peterson (Lowell), Rasmussen, Sandison, Sellar, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington—21.

Absent or not voting: Senators Greive, Murray, Newschwander, Peterson (Ted), Scott, Stender, Whetzel—7.

ENGROSSED HOUSE BILL NO. 291, having failed to receive the constitutional majority, was declared lost.

## NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Rasmussen served notice that he would, on the next working day, move to reconsider the vote by which Engrossed House Bill No. 291 failed to pass the Senate.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Henry moved that the Senate immediately reconsider the vote by which the Senate failed to pass Engrossed House Bill No. 291.

The motion by Senator Henry carried on a rising vote.

## MOTIONS

On motion of Senator Metcalf, there being no objection, Engrossed House Bill No. 291 was returned to second reading.

On motion of Senator Metcalf, Engrossed House Bill No. 291 was ordered placed on the second reading calendar for Saturday, March 17, 1973.

## SECOND READING

ENGROSSED SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr: Licensing journeymen electricians.

The Senate resumed consideration of Engrossed Senate Bill No. 2183 with the following amendment by Senator Gardner pending, and the following amendment to the amendment by Senator Lewis (Harry) having been adopted on February 19, 1973:

On page 2, section 4, line 18 of the printed bill, being line 24 of the engrossed bill, after "act" and before "for four" insert "or have satisfactorily attended for up to a maximum of two years an accredited vocational or technical school program related to the electrical trade" and after "for" and before "four years" insert "a combined total of".

On line 3 of the Gardner amendment, strike "act," and insert "years," and strike "for four" and insert "or", and on line 5 of the amendment after "years" insert "and successfully completed" and strike lines 7 and 8 of the amendment.

The motion by Senator Gardner carried and the amendment, as amended, was adopted. On motion of Senator Gardner, the following amendments were adopted:

On page 2, line 14 of the reengrossed bill, after "trade" and before "in the" insert "as defined by this 1973 act".

On page 2, line 18 of the reengrossed bill, after "competency" strike the period and insert "PROVIDED FURTHER, That completion of such a course of study shall be substitutable for the practical experience required by section 4 of this 1973 act only according to the duration of the course."

Senator Rasmussen moved adoption of the following amendment:

On page 7, section 14, line 23, after "person" insert a period and strike the remainder of the section.

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Gardner, Reengrossed Senate Bill No. 2183 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 2183, and the bill passed the Senate by the following vote: Yeas, 27; nays, 16; absent or not voting, 6.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Durkan, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Woody—27.

Voting nay: Senators Atwood, Clarke, Day, Donohue, Fleming, Guess, Jones, Lewis (Bob), Matson, Metcalf, Murray, Peterson (Lowell), Twigg, Wanamaker, Washington, Woodall—16.

Absent or not voting: Senators Dore, Greive, Newschwander, Sellar, Stender, Whetzel—6.

REENGROSSED SENATE BILL NO. 2183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2662, by Senator Gardner:

Providing for the regulation and safe operation of recreational conveyances.

#### MOTIONS

On motion of Senator Gardner, Substitute Senate Bill No. 2662 was substituted for Senate Bill No. 2662, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Gardner, the following amendments were adopted:

On page 4 of the substitute bill, section 5, line 15, after "any] and before "as" insert "*including the standards contained in the American National Standard Safety Requirements for Aerial Passenger Tramways, as adopted by the American National Standards Association, Incorporated.*"

On page 6, section 12, line 3 of the substitute bill, after "chapter" and before ", Laws" strike "237" and insert "327".

On motion of Senator Gardner, the following amendments to the title were adopted:

On page 1, line 6 of the title, after "70.88.030;" and before "amending" insert "amending section 2, chapter 85, Laws of 1965 1st ex. sess. and RCW 70.88.040; amending section 5, chapter 327, Laws of 1959 and RCW 70.88.050; amending section 6, chapter 327, Laws of 1959 and RCW 70.88.060;"

In line 12 of the title, after "chapter" and before ", Laws" strike "237" and insert "327".

On motion of Senator Gardner, Engrossed Substitute Senate Bill No. 2662 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gardner yield to a question? Senator Gardner, I note it would require the certification of a ski area. Would this go so far as to say that they would have to remove all of the trees? There was recently a fatality in one ski area where somebody hit a tree or a rock. By the passage of this, would this make them liable under their insurance?"

Senator Gardner: "Senator Rasmussen, the accident to which you refer was where a student at the same school with my son hit a tower, not a tree. He hit a ski tower. No, this would not require that at all. There are reasonable standards required and it is unreasonable to expect that beyond a certain point required by the U.S. Forest Service the trees will be removed."

Senator Rasmussen: "My boy has had his ankle stripped, the tendons, and another one had the knee bent over backwards and was in the hospital for some period of time. This would not make them liable for injuries such as that?"

Senator Gardner: "No, they are only liable for their negligence, Senator Rasmussen, and basically in a ski area this bill relates to conveyances and the operation of those conveyances. Now the question you raise relates to the slope itself. And all areas are required to have professional ski patrol on hand at the opening of each day and that patrol procedures require it to ski the hill and to put up safety signs or no skiing signs in areas where there is potential danger. Beyond that, each individual on the hill is required to use their own judgment and be responsible for their own skiing actions."

Senator Rasmussen: "By buying a ski ticket they, in effect, sign and say that they are responsible for the injury rather than the operator?"

Senator Gardner: "Right. If the area operator has taken reasonable precautions to prevent accidents."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Gardner yield? Senator, I thought we had a pretty good bill and I know that you are a good skier and are interested in this type of legislation. My question is directed to your amendment. Would it in any way conflict with the inspection requirements and responsibility of the state Parks Commission? Is there any overlapping of authority or responsibility which your amendment would institute?"

Senator Gardner: "Senator Canfield, are you referring to the first amendment on that page?"

Senator Canfield: "Yes, the one on page 4, with the standards of the American National Safety Requirements."

Senator Gardner: "Basically, Senator Canfield, it works this way. Where you have an area that is on state land with no federal land involved, the Park Commission assumes the responsibility. Where you have any federal land involved, then they subcontract with the federals. In both cases the state Park Commission and the federal U.S. Forest Service use the American Standards as their guide. So there is not an overlap in this."

Senator Canfield: "There would be no conflict in responsibility?"

Senator Gardner: "No sir."

## POINT OF INQUIRY

Senator Donohue: "Would Senator Gardner yield? Senator Gardner, I note here that there are exceptions to this, and those are Hurricane Ridge, Olympic National Park, Paradise and Mount Rainier. Why is there an exception that these do not have to follow the bill?"

Senator Gardner: "Senator Donohue, I believe you are looking at a note that pertains to a House bill on this subject and is not a portion of the Senate bill."

Senator Donohue: "That has been deleted? It is not in this bill then?"

Senator Gardner: "No, sir."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2662, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senator Walgren—1.

Absent or not voting: Senators Greive, Newschwander, Sellar, Stender, Whetzel—5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2662, having received the 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 Senator Mardesich, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

March 15, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, with the following amendments:

Strike the House committee amendment to page 2, section 4, beginning on line 16 of the engrossed bill and insert the following:

On page 2, section 4, beginning on line 16 of the engrossed and printed substitute bill, strike all of section 4 and insert the following:

"*NEW SECTION.* Sec. 4. There is hereby created a hospital commission, which shall be a separate and independent commission of the state. The commission shall be composed of five members appointed by the governor, and generally representative of the public as consumers, labor, business, and hospitals, and shall be individuals concerned with the delivery of quality health care; but in no event shall more than two members have any fiduciary obligation to a health facility or other health agency, nor any direct financial interest in the rendering of health services. In cases when proposed rate increases for osteopathic hospitals are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace a hospital representative on the commission."

Strike the House committee amendment to page 2, section 5, beginning on line 32 of the engrossed bill and insert the following:

On page 3, section 5, beginning on line 3 of the engrossed bill, being page 2, section 5, beginning on line 32 of the printed substitute bill, after "Sec. 5." strike all of the material down to and including the period following "four years" on line 10 of the engrossed bill, being page 3, line 6 of the printed substitute bill, and insert "Members of the commission shall serve for four-year terms and shall require senate confirmation."

On page 3, section 5, beginning on line 14 of the engrossed bill, being page 3, section 5, line 10 of the printed substitute bill, after the period following "convenes" strike the balance of the section.

On page 3, section 7, beginning on line 31 of the engrossed bill, strike all material down to and including "41.06 RCW." on line 33, and insert the following:

"The secretary of the department of social and health services shall employ and furnish such other staff as are necessary to fulfill the responsibilities and duties of the commission, such staff to be subject to the civil service law, chapter 41.06 RCW, and under the supervision of the commission and its executive director."

On page 12, section 18, line 15 of the engrossed bill, being page 12, section 18, line 10 of the printed substitute bill, strike "public service revolving fund in accordance with chapter 80.24 RCW" and insert "hospital commission account in the general fund which is hereby created", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Day, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2113.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2113, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—40.

Voting nay: Senators Durkan, Lewis (Bob)—2.

Absent or not voting: Senators Connor, Greive, Newschwander, Sellar, Stender, Stortini, Whetzel—7.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, 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

At 2:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Saturday, March 17, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## NINTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, March 17, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John O'Leary and Jody Thomas, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered the following prayer:

"TODAY LORD, ON THIS FEAST OF SAINT PATRICK, WE PAUSE TO REFLECT ON THE WORDS OF OUR LATE PRESIDENT, JOHN F. KENNEDY, WHEN HE VISITED THE LAND OF HIS ANCESTORS. HE SAID, 'THE GREATEST ART OF THE WORLD WAS THE WORK OF LITTLE NATIONS. THE MOST ENDURING LITERATURE OF THE WORLD CAME FROM LITTLE NATIONS. THE HEROIC DEEDS THAT THRILLED HUMANITY THROUGH GENERATIONS WERE THE DEEDS OF LITTLE NATIONS FIGHTING FOR THEIR FREEDOM AND YES, THE SALVATION OF MANKIND CAME THROUGH A SMALL NATION.' HELP US LORD TO KNOW WHERE TRUE GREATNESS LIES AND PURSUE IT. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

March 14, 1973.

SENATE BILL NO. 2036, creating a division of corrections within the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Keefe, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

March 16, 1973.

SENATE BILL NO. 2112, implementing state patrol retirement act (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Higher Education and by Committee on Ways and Means.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Gardner, Grant, Marsh, Peterson (Ted).

Passed to Committee on Rules for second reading.

March 16, 1973.

SENATE BILL NO. 2197, revising voter registration procedures (reported by Committee on Constitution and Elections):

MAJORITY recommendation: That Substitute Senate Bill No. 2197 be substituted therefor and that the substitute bill do pass and be referred to the Committee on Ways and Means.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Washington.

There being no objection, Senate Bill No. 2197 was referred to the Committee on Ways and Means.

March 14, 1973.

SENATE BILL NO. 2223, establishing a commission for the blind (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Twigg, Woodall.

Passed to Committee on Rules for second reading.

March 16, 1973.

SENATE BILL NO. 2261, requiring federal legislators to file financial statements (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2461, establishing a state board of investments (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 2461 be substituted therefor and the substitute bill do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

March 15, 1973.

SENATE BILL NO. 2525, providing procedures for the solicitation of funds for, or in the name of charity (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Woodall.

Passed to Committee on Rules for second reading.

## MESSAGES FROM THE HOUSE

March 16, 1973.

Mr. President: The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52,



HOUSE BILL NO. 438,  
HOUSE BILL NO. 492,  
ENGROSSED HOUSE BILL NO. 531,  
ENGROSSED HOUSE BILL NO. 741,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 993,  
HOUSE JOINT MEMORIAL NO. 6,  
HOUSE JOINT MEMORIAL NO. 7,  
ENGROSSED HOUSE JOINT MEMORIAL NO. 8,  
ENGROSSED HOUSE JOINT MEMORIAL NO. 10,  
HOUSE JOINT MEMORIAL NO. 11, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 16, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 137,  
HOUSE BILL NO. 287,  
HOUSE BILL NO. 364, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 2113,  
HOUSE BILL NO. 137,  
HOUSE BILL NO. 287,  
HOUSE BILL NO. 364.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2851, by Senator Odegaard:

An Act relating to property of the Southwest Washington Fair Association under the jurisdiction and control of the Lewis county board of county commissioners.

Referred to Committee on Local Government.

SENATE BILL NO. 2852, by Senator Odegaard:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2853, by Senator Odegaard:

An Act relating to vocational-technical education.

Referred to Committee on Education.

SENATE BILL NO. 2854, by Senator Odegaard:

An Act relating to appropriations.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2855, by Senators Donohue and Odegaard:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2856, by Senators Donohue and Odegaard:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2857, by Senators Donohue and Odegaard:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2858, by Senators Donohue and Odegaard:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2859, by Senator Donohue:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2860, by Senators Donohue and Odegaard:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2861, by Senators Donohue and Odegaard:

An Act appropriating money for the support of government; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2862, by Senators Donohue and Odegaard:

An Act appropriating money for the support of government; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2863, by Senators Donohue and Odegaard:

An Act appropriating money for the support of government; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2864, by Senators Donohue and Odegaard:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2865, by Senators Donohue and Odegaard:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2866, by Senators Donohue and Odegaard:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2867, by Senator Francis:

An Act relating to probate.

Referred to Judiciary Committee.

SENATE BILL NO. 2868, by Senator Francis:

An Act relating to tort law.

Referred to Judiciary Committee.

SENATE BILL NO. 2869, by Senator Francis:  
An Act relating to real property.  
Referred to Judiciary Committee.

SENATE BILL NO. 2870, by Senator Francis:  
An Act relating to civil actions.  
Referred to Judiciary Committee.

SENATE BILL NO. 2871, by Senator Francis:  
An Act relating to domestic relations.  
Referred to Judiciary Committee.

SENATE BILL NO. 2872, by Senator Francis:  
An Act relating to the judiciary.  
Referred to Judiciary Committee.

SENATE BILL NO. 2873, by Senator Francis:  
An Act relating to minors in restaurants.  
Referred to Judiciary Committee.

SENATE BILL NO. 2874, by Senator Francis:  
An Act relating to crimes and punishments.  
Referred to Judiciary Committee.

SENATE BILL NO. 2875, by Senator Francis:  
An Act relating to contract law.  
Referred to Judiciary Committee.

SENATE BILL NO. 2876, by Senator Francis:  
An Act relating to civil procedure.  
Referred to Judiciary Committee.

SENATE BILL NO. 2877, by Senator Francis:  
An Act relating to civil order.  
Referred to Judiciary Committee.

SENATE BILL NO. 2878, by Senator Talley:  
An Act relating to counties.  
Referred to Committee on Local Government.

SENATE BILL NO. 2879, by Senators Mardesich and Durkan:  
An Act relating to small loan companies, loan limit increase.  
Referred to Committee on Financial Institutions.

SENATE BILL NO. 2880, by Senator Fleming:  
An Act relating to revenue and taxation; and adding a new section to chapter 83.20  
RCW.  
Referred to Committee on Ways and Means.

SENATE BILL NO. 2881, by Senator Francis:  
An Act relating to landlords and tenants; adding a new section to chapter 59.04 RCW;  
defining crimes; and prescribing penalties.  
Referred to Judiciary Committee.

SENATE BILL NO. 2882, by Senator Fleming:  
An Act relating to conveyances of real property; amending section 1, chapter 278,  
Laws of 1927 and RCW 65.08.060; adding new sections to chapter 278, Laws of 1927 and  
to chapter 65.08 RCW; and prescribing penalties.

Referred to Committee on Local Government.

SENATE BILL NO. 2883, by Senators Mardesich, Durkan, Walgren and Grant:

An Act relating to unemployment compensation; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; and declaring an emergency.

Referred to Committee on Labor.

SENATE BILL NO. 2884, by Senators Durkan, Mardesich, Walgren and Grant:

An Act relating to workmen's compensation; amending section 51.32.070, chapter 23, Laws of 1970 as last amended by section 2, chapter . . . (ESB No. 2327), Laws of 1973 and RCW 51.32.070; and declaring an emergency.

Referred to Committee on Labor.

There being no objection, additional sponsors were permitted on Senate Bills Nos. 2883 and 2884.

SENATE BILL NO. 2885, by Senators Donohue and Odegaard:

An Act relating to traffic safety education courses; and amending section 2, chapter 9, Laws of 1970 ex. sess. as amended by section 1, chapter 26, Laws of 1971 ex. sess. and RCW 46.81.030.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2886, by Senators Donohue and Peterson (Lowell):

An Act relating to food; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on Commerce.

SENATE BILL NO. 2887, by Senators Donohue and Odegaard:

An Act relating to income of courts; and amending section 109, chapter 299, Laws of 1961 as last amended by section 3, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.050.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2888, by Senator Rasmussen:

An Act relating to lost and found property; amending section 3269, Code of 1881 and RCW 63.20.050; and adding a new section to chapter 63.20 RCW.

Referred to Judiciary Committee.

SENATE CONCURRENT RESOLUTION NO. 125, by Senators Bailey and Mardesich:

Providing for changes in the Joint Rules of the Senate and House of Representatives.

#### MOTIONS

On motion of Senator Mardesich, Senate Concurrent Resolution No. 125 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 125 was ordered placed on the second reading calendar for Monday, March 19, 1973.

On motion of Senator Mardesich, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, by Committee on Ways and Means—Revenue (originally sponsored by Representatives Newhouse, Randall, North (Lois), and Zimmerman) (by Legislative Council request):

Providing for a limited leasehold in lieu tax.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 438, by Representatives Ceccarelli, Gaspard and Bagnariol (by Department of General Administration request):

Permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions.

Referred to Committee on Financial Institutions.

HOUSE BILL NO. 492, by Representatives Kuehnle, Chatalas, Ceccarelli and Garrett: Redefining "clock hours of instruction" for real estate brokers and salesmen licensing provisions.

Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 531, by Representatives Bagnariol and Pardini:

Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 741, by Representatives Chatalas, Curtis, Swayze, Charette, Wojahn and Pardini:

Requiring continuing education for CPA's.

Referred to Committee on Commerce.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, by Committee on Commerce (originally sponsored by Representatives Valle, Rabel, Adams, Warnke, Kraabel, Eng, Kilbury, Swayze, Ceccarelli, Charnley, Douthwaite, Ehlers, Ellis, Matthews and Maxie): Enacting the flammable fabrics act.

Referred to Committee on Commerce.

HOUSE JOINT MEMORIAL NO. 6, by Representatives Wojahn, Kelley and McCormick (by Governor's Task Force on Aging request):

Requesting earnings limitation on social security recipients be raised.

Referred to Committee on Social and Health Services.

HOUSE JOINT MEMORIAL NO. 7, by Representatives Eng, Matthews and Charnley (by Governor's Task Force on Aging request):

Memorializing the need for expanded legislation and financing of Medicare.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE JOINT MEMORIAL NO. 8, by Representatives Adams, Maxie, Paris, Zimmerman and Smythe (by Governor's Task Force on Aging request):

Memorializing Congress to permit receipt of social security increases with deduction in welfare grants.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE JOINT MEMORIAL NO. 10, by Representatives Matthews, Charnley, Eng and Nelson (by Governor's Task Force on Aging request):

Requesting Congress to take action on health care services for the elderly.

Referred to Committee on Social and Health Services.

HOUSE JOINT MEMORIAL NO. 11, by Representatives Goltz, Matthews, Adams, Van Dyk, Eng, Fortson, Ellis, May, Wojahn and Ceccarelli:

Memorializing Congress for quality medical and health care services for all citizens.

Referred to Committee on Social and Health Services.

#### MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:55 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:55 a.m.

## MOTION

Senator Lewis (Harry) moved that the Senate immediately commence consideration of Senate Concurrent Resolution No. 124.

Debate ensued.

## MOTION

Senator Mardesich moved that Senate Concurrent Resolution No. 124 be held for consideration on Tuesday, March 20, 1973.

Further debate ensued.

## MOTION

Senator Ridder moved that the motion by Senator Mardesich be amended and that consideration of Senate Concurrent Resolution No. 124 be had on Monday, March 19, 1973.

Debate ensued.

The motion by Senator Mardesich, as amended by Senator Ridder, carried on a rising vote.

Senate Concurrent Resolution No. 124 was ordered placed on the second reading calendar for Monday, March 19, 1973.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE JOINT RESOLUTION NO. 131, by Senator Mardesich:

Amending the Constitution to extend the terms of representatives and senators to four and six years, respectively, and limiting the number of years a person may serve in either house.

Referred to Committee on Constitution and Elections.

## MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 2226 was ordered placed on the second reading calendar for Tuesday, March 20, 1973.

On motion of Senator Mardesich, Engrossed House Bill No. 291 was ordered to hold its place on the second reading calendar for Monday, March 19, 1973.

## SECOND READING

SENATE BILL NO. 2497, by Senators Bottiger, Lewis (Harry) and Gardner:

Allowing accrual of vacation leave until December 31st of each year.

The bill was read the second time by sections.

On motion of Senator Bottiger, Senate Bill No. 2497 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2497, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SENATE BILL NO. 2497, having received the 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. 2544, by Senators Durkan, Peterson (Ted) and Connor:

Providing for registration of contractors by the department of labor and industries.

The Senate resumed consideration of Senate Bill No. 2544, the committee amendment to page 2, section 1, line 1, having been adopted on Friday, March 16, 1973.

On motion of Senator Durkan, the remainder of the committee amendments were adopted.

On motion of Senator Guess, the following amendment was adopted:

On page 2, section 1, line 33, after "*than*" strike "*five*" and insert "*one*".

Senator Lewis (Harry) moved adoption of the following amendment by Senators Lewis (Harry) and Bottiger:

On page 3, section 4, line 29, after "[two]" strike "*three thousand*" and insert "*two thousand five hundred*".

Debate ensued.

The motion by Senator Lewis (Harry) carried and the amendment was adopted on a rising vote.

On motion of Senator Lewis (Harry), the following amendment by Senators Lewis (Harry) and Bottiger was adopted:

On page 3, section 4, lines 30 and 31, after "[one]" strike "*two thousand*" and insert "*one thousand five hundred*".

Senator Day moved adoption of the following amendment:

On page 4, section 4, line 5, after "business" and before the period insert "*PROVIDED, That any subcontractor with no more than two employees shall be mandated to post only a one thousand dollar bond*".

Debate ensued.

The motion by Senator Day carried and the amendment was adopted on a rising vote.

On motion of Senator Durkan, Engrossed Senate Bill No. 2544 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2544, and the bill passed the Senate by the following vote: Yeas, 35; nays, 14.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woodall, Woody—35.

Voting nay: Senators Atwood, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Murray, Scott, Sellar, Stender, Talley, Twigg, Wanamaker, Whetzel—14.

ENGROSSED SENATE BILL NO. 2544, having received the constitutional 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. 502, by Representatives Savage, Benitz and Kilbury: Implementing laws relating to nuclear thermal power facilities.

The bill was read the second time by sections.

On motion of Senator Jolly, Engrossed House Bill No. 502 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 502, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

INGROSSED HOUSE BILL NO. 502, having received the 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. 2312, by Senators Bailey and Atwood:

Establishing maximum rates to be paid for public printing and legal notices.

## REPORT OF STANDING COMMITTEE

February 17, 1973.

SENATE BILL NO. 2312, establishing maximum rates to be paid for public printing and legal notices (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11, after "of" strike "board of county commissioners" and insert "[board of county commissioners] *county legislative authority*".

On page 1, section 1, line 19, after "The" and before "shall" strike "board of county commissioners" and insert "[board of county commissioners] *county legislative authority*".

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Sellar, Walgren, Whetzel.

The bill was read the second time by sections.

On motion of Senator Fleming, Engrossed Senate Bill No. 2312 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Ridder: "Would the Senator yield to a question? Senator Murray, this also necessitates a change in typesetting too, doesn't it? In normal want ads you run just a plain type size but in much of this type of advertisement you have to change the size and it is quite a more complicated procedure?"

Senator Murray: "That is true in many cases. It is not always true. It is an option of the newspaper and there are some variations."

## POINT OF INQUIRY

Senator Dore: "Would Senator Murray yield to a question? Senator Murray, I am not necessarily against the bill, but I would like to know the impact on the state. It is a twenty-five percent increase, isn't it? What did we spend, say the last two years, on state legal notices? So that we know how much increase we are talking about in terms of the state treasury."

Senator Murray: "In my opinion this would not affect the state's expenditure of funds for legal notices. The state funds for constitutional amendments and so on that are advertised just prior to election for four weeks that are required are handled on a different basis and this would not affect that."

Senator Dore: "How are they handled?"

Senator Murray: "They are handled on a preset arrangement and they pay the normal display advertising rate."



Senator Dore: "The ten cents a word?"

Senator Murray: "It is not done on a word, it is done on a column inch basis."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2312, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Murray—1.

ENGROSSED SENATE BILL NO. 2312, having received the 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 Senator Mardesich, Senate Bill No. 2063 was ordered held for the second reading calendar on Tuesday, March 20, 1973.

#### SECOND READING

SENATE BILL NO. 2118, by Senators Gardner, Durkan and Fleming (by Asian American Advisory Council request):

Removing citizenship requirements to teach in common schools of state.

The bill was read the second time by sections.

On motion of Senator Atwood, the following amendment was adopted:

On page 1, line 15, strike all of section 3.

On motion of Senator Atwood, the following amendment to the title was adopted:

On page 1, line 5 of the title, after "penalties" insert a period and strike the balance of the line.

On motion of Senator Gardner, Engrossed Senate Bill No. 2118 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Stender: "Would Senator Gardner yield to a question? Senator, without reading the bill in detail, I would be led to believe that this repealed the law requiring a non-citizen from making a declaration that he is not a communist or fascist. Is that correct?"

Senator Gardner: "I do not understand your question."

Senator Stender: "In reading the caucus digest as it relates to Senate Bill No. 2118, I am led to believe that this proposed bill repeals the law providing that these non-citizens sign a non-communist or non-fascist loyalty oath before they could become teachers. Could you tell me if that is so?"

Senator Gardner: "That is correct. It is currently the federal law and this just repeals the state statute."

Senator Stender: "Mr. President, I just wonder what we are really up to here. I know you are talking about importing some teachers and we have lots of them. And I am just wondering whether or not we are going to something here that probably was a little out of context with reality. I just do not quite understand why we should have people here that may not want to sign a non-communist affidavit. In other words, they feel that perhaps they

would be perjuring themselves in so doing maybe in some cases and we do not, I do not believe, really need anyone like that here teaching our kids. Now you want to repeal that requirement and I just cannot quite follow you. Maybe you could explain it a little better, Senator Gardner."

Senator Gardner: "Senator Stender, there are two RCW's referred to in this act, if you were to open your bill book and read the bill. One is .020 and the other is .030. This repeals .020 but does not touch .030, which in effect covers the concern which you have, Senator Stender."

Senator Stender: "Would you say that this caucus digest of the bill is accurate?"

Senator Gardner: "Not totally, Senator Stender, but I find that the case in a number of bills."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gardner yield to a further question? Senator Gardner, in your research on this bill, are you aware, is this privilege reciprocal among other countries?"

Senator Gardner: "I have no idea of that, Senator Rasmussen, whether it is or not."

Senator Rasmussen: "We may be passing something here that other countries are barring our citizens from engaging in. Is this correct?"

Senator Gardner: "It is quite possible. Yes."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Gardner yield? Senator, would you please look at the bill and tell me exactly what section 2 means? It just says these RCW's are repealed. And I would like to know exactly what the repealers are."

Senator Gardner: "All right, Senator Canfield. In the bill it refers to RCW 28A.67 then .020 and .030. Correct? All right, it is repealing .020 and leaving .030 in. Again correct? .020 is the section of the RCW's which requires that in order to teach in this state on the basis that Senator Woodall just said, an alien must declare that it is his intent to become a citizen of the United States, and this repeals that. Now it leaves in .030 which in effect addresses Senator Stender's concern and I know Senator Guess's too, although he is being nice to me in this instance, which is in effect that if a person gets into the schools and begins to teach in a way which is alien to the terms of citizenship as we believe it in this country, they can be decertified and not ever again allowed to teach. That is being left in, Senator Stender. That is .030."

Senator Canfield: "Senator Gardner, you are saying then that they would still not be permitted to teach if they would advocate communist or fascist doctrines? You are not repealing that?"

Senator Gardner: "That is correct. That is in .030, Senator Canfield."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2118, and the bill passed the Senate by the following vote: Yeas, 28; nays, 21.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Marsh, Murray, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Van Hollebeke, Washington, Whetzel, Woodall, Woody—28.

Voting nay: Senators Atwood, Canfield, Clarke, Dore, Guess, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Wanamaker—21.

ENGROSSED SENATE BILL NO. 2118, having received the 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

At 1:20 p.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, March 19, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## ELEVENTH DAY

## NOON SESSION

Senate Chamber, Olympia, Wash., Monday, March 19, 1973.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Sellar.

The Color Guard, consisting of Pages Ryan Hudson and Sharon Valdes, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD OUR FATHER, WE PUT OUR HANDS, AS IT WERE, IN THE HANDS OF THE MAN WHO STILLED THE WATERS, IN THE HANDS OF THE MAN WHO CALMED THE SEA. WE SEE IN HIS EXAMPLE OF PERSEVERANCE AND PATIENCE, HUMILITY AND FAITHFULNESS, COURAGE AND SELF-SACRIFICE, A MAGNETIC PATTERN FOR OUR LIVES. WE COVET THE INSPIRATION OF HIS PRESENCE AND HELP THROUGH THIS DAY. AMEN.”

## MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## PRESIDENT'S PRIVILEGE

The President: “Illustrious gentlemen of the Senate, ladies and gentlemen, an event has taken place in the last few weeks which is of great import and significance to the United States of America, to the Washington State Senate and the people of the state of Washington. At this time, in order to in some measure properly signify this event, the President should like to respectfully request of Senator (Harry) Lewis, Senator Atwood, Senator Matson, Senator Connor, Senator Bailey, and Senator Mardesich that you please act as a committee of honor to escort the Honorable John H. Stender to the rostrum.”

## PRESIDENT'S PRIVILEGE

The President: "Senator Stender says he does not know why we want to do this to him. We are going to give you the business, John, right now.

"Gentlemen of the Senate, ladies and gentlemen, it is with a great deal of pride and pleasure that the President at this time presents to you one of your own noted, renowned and capable members, Senator Harry B. Lewis, who in turn will present Senator Stender a symbol of the affection and admiration of the Senate."

## REMARKS BY SENATOR HARRY LEWIS

Senator Lewis (Harry): "Thank you very much, Governor. I guess for all of us there will always be a great deal of pride in having known John Stender. From both sides of the aisle we have recognized the kind of steadfastness and stalwartness and loyalty that Senator John has presented to us in his voting and his activities in the Senate. He is a man of deep and long experience which has enabled him to do the type of job that he has done for the people he represents in the state of Washington. And for those reasons he was selected, I think, to leave us, which we regret very much, John, but at the same time we congratulate you for the position, for the honor which you have brought to us in the appointment granted you recently.

"I remember a few years ago when John Stender told me that a few years, just a few short years ago that he was actively working as a welder and a boilermaker and, of course, we recognize that he is a national vice president of the Boilermakers Union. But I would just like to remind you fellows that this husky man standing up here not too long ago was able to weld inside a thirty inch diameter pipe and turn around and come back. I do not know many of us of a much smaller size that could have done that.

"Senator John, we congratulate you sincerely on your appointment. We wish you well in Washington, D.C. We know that you will remember us and we have prepared a small memento of appreciation for you which I would like to present to you now."

## REMARKS BY SENATOR STENDER

Senator Stender: "I think it is completely unfair not to let a guy know. I want to first say that I had on my desk a very stirring resolution that I understood was passed during my absence. I recall some four years ago, or nearly four years ago, when the last resolution was passed on the closing of the session at that time. This was a resolution commending me to the President for the position that he has now nominated me to. I suppose there is some coincidence in the fact that that resolution, as I understand it, was actually on the White House desk. So I have to say again, as I did four years ago, thank you so much for your kindness and your consideration. I am one, you know, of very few fancy or flowery words but I do very deeply appreciate having had a chance to work with a group of men such as the Senate of the State of Washington. It goes without saying, Governor, that you have been one of our stalwart leaders and, I know I can say for all of us here that they and I have appreciated your leadership immensely.

"There is a saying that the greatest achievements of mankind have been accomplished by two types of men, those who were smart enough to know it could be done and those too dumb to know it could not. I, as you know, have been asked to lead a department that is quite new in the United States government, a department dealing with the welfare and safety of workmen in their workplace in the industry and everywhere else, for that matter, in our country and its possessions. I suppose that I should not tell on myself, but when I had conversations with, some sixty days ago, I was asked what department I would particularly be interested in serving in if a nomination could be had. The confession is, I asked for this one if it pleased the President. Last week I spent two days in that department, in consultation and orientation, and I probably would not have made that request if I had made that two-day visit ahead of time. But it is a job that deals with the prevention of misery among man. When you look at the statistics of injuries and deaths in the workplaces of the country, it is staggering. We all talk about the casualties of war; we talk about the casualties on our highways; and we ever strive to improve our lot, but the workplace of our

country does kill and maim a tremendous number of people. Many of them that are disabled, sometimes for life, become wards of the state and unfortunately they give an awful lot when you think of a man, sometimes a young man, who is disabled through his whole future.

"I do hope that, while I know the new act is a controversial matter, I do hope that my role can be directed to the needs and matters to get the labor and the management people to work together to bring about the best possible conditions of employment and reduce the misery and suffering. I accept the challenge. I have made known to the Governor my resignation as of tonight. I am going to leave with a real strong deep feeling about the last eleven years that I have spent with you here. I know I am going to come back, that I am not leaving forever. I am coming back and I hope that I will have an opportunity to visit again as we go along. I hope that I can have a hand in the new act that we have passed here called WISHE and seeing that that administration is carried out in the sense that the Senate and the House and the Governor and all of us intended it to be carried out.

"I just have to say, Harry, and all of you in my caucus, all of you in the Senate, that the work that I have done I do not want to forget. Mrs. Stender, Ida, is not here. She will be later today. She and my good secretaries that have, and not just here at the Senate, all my years that I have been in the union work and I have had the blessing of having at my right hand some very competent and capable and loyal people. I want to say for Anne Macrae and Charlotte Withrow, who is Senator Ted Peterson's secretary, that both of them have just been a tremendous help in every way and have made the job here very easy. I know you all can say that for your secretaries, but I have to today. Anne, I see you over there. Would you step inside Anne, my loyal and true secretary.

"So with that I want to thank you, Governor, thank all of the leadership for your kindness. Thank you for the nice memento. I am going to treasure that the rest of my life. Thank you."

#### REMARKS BY SENATOR WOODALL

Senator Woodall: "Mr. President and members of the Senate, a few days ago some pressman who, although they want us to tell all, did not identify himself, called Cincinnatus, printed an article where he rated the members of the Senate and in one category he had about six of us. So whoever Cincinnatus is, I want to thank him because he said that Senator Guess, Senator Woodall, Senator Knoblauch, Senator Rasmussen and Senator Marsh all belong in the same class with Senator Stender. So my thanks to Mr. Cincinnatus. He put me in the category with a great guy. Thank you."

#### PRESIDENT'S PRIVILEGE

The President: "Senator Stender, Senator Harry Lewis and gentlemen of the Senate, ladies and gentlemen that are fortunate enough to be present today, the President should like to address this one particular thought to you John, namely, that everyone who is acquainted with you knows that you are going to take to Washington, D.C. at least four things; unsurpassed intestinal fortitude, a strong backbone, the highest moral fiber, and great intellect. Senator Harry Lewis pointed out that you know how to use your head. I describe it as great intellect and if you could not get out of that thirty inch boiler one way or another you would use your head and get out that way. We know that. Now it has been a pleasure working with you here in the Senate and in Rules and Sid Snyder and all the rest of us and the staff. It is quite a compliment to you that so many of the staff are present to see you receive this little memento, which shows certainly affection and admiration. But we want to wish you well. We know you have made major, enduring and substantial contributions to our state and to the people of your district. And in two words, God bless."

"Would the members of the committee please come forward and escort Senator Stender to his desk?"

## MESSAGE FROM THE HOUSE

March 17, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 142,  
 SUBSTITUTE HOUSE BILL NO. 174,  
 ENGROSSED HOUSE BILL NO. 234,  
 HOUSE BILL NO. 242,  
 ENGROSSED HOUSE BILL NO. 352,  
 HOUSE BILL NO. 361,  
 HOUSE BILL NO. 362,  
 HOUSE BILL NO. 363,  
 HOUSE BILL NO. 365,  
 HOUSE BILL NO. 394,  
 ENGROSSED HOUSE BILL NO. 399,  
 HOUSE BILL NO. 422,  
 HOUSE BILL NO. 426,  
 ENGROSSED HOUSE BILL NO. 453,  
 HOUSE BILL NO. 481,  
 ENGROSSED HOUSE BILL NO. 482,  
 HOUSE BILL NO. 523,  
 HOUSE BILL NO. 566,  
 SUBSTITUTE HOUSE BILL NO. 589,  
 HOUSE BILL NO. 698,  
 ENGROSSED HOUSE BILL NO. 721,  
 ENGROSSED HOUSE BILL NO. 821,  
 ENGROSSED HOUSE BILL NO. 827,  
 HOUSE BILL NO. 847, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2889, by Senators Greive, Stortini, Knoblauch, Woodall, Guess and Metcalf:

An Act relating to legal holidays; and amending section 1, chapter 5, Laws of 1927 as last amended by section 1, chapter 11, Laws of 1969 and RCW 1.16.050.

Referred to Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 2889.

SENATE BILL NO. 2890, by Senator Odegaard:

An Act relating to the southwest Washington fair and property utilized therefor; amending sections 36.90.010, 36.90.020, 36.90.030, 36.90.040 and 36.90.050, chapter 4, Laws of 1963 and RCW 36.90.010, 36.90.020, 36.90.030, 36.90.040 and 36.90.050; repealing section 36.90.060, chapter 4, Laws of 1963 and RCW 36.90.060; and creating new sections.

Referred to Committee on Local Government.

SENATE BILL NO. 2891, by Senators Greive, Stortini and Woodall:

An Act relating to inheritance taxes; adding a new section to chapter 83.20 RCW; and repealing section 1, chapter 11, Laws of 1963 ex. sess. and RCW 83.20.020.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2892, by Senators Talley, Bottiger and Murray:

An Act relating to taxing districts; and amending section 13, chapter 76, Laws of 1909 and RCW 1.16.030.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2893, by Senators Lewis (Harry) and Grant (by Department of Labor and Industries request):

An Act relating to wages and other conditions of employment for employees; and amending section 8, chapter 294, Laws of 1959 as amended by section 117, chapter 81, Laws of 1971 and RCW 49.46.080.

Referred to Committee on Labor.

SENATE JOINT MEMORIAL NO. 123, by Senators Day and Keefe:

Memorializing Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 142, by Representatives Sommers, Knowles, Kopet and Julin:

Raising the corporation annual report filing fees from one to two dollars.

#### MOTION

On motion of Senator Francis, House Bill No. 142 was referred to the Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 174, by Committee on State Government (originally sponsored by Representatives Luders, Knowles, Conner, Bagnariol, Bauer, Kilbury, Haussler and Shinpoch):

Providing for the transfer of certain functions from the DSHS to the legislative budget committee.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 234, by Representatives Maxie, King and Rabel (by Joint Committee on Higher Education request):

Implementing law relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 242, by Representatives Luders, Knowles, Pardini and Patterson: Declaring it a misdemeanor to duplicate or possess a duplicate of a key to a public building.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 352, by Representatives Moon, Flanagan, Williams and Erickson:

Pertaining to listing of exempt property.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 361, by Representatives Adams and Parker (by Department of Social and Health Services request):

Amending the law regarding contracts to furnish medical care to recipients of public assistance.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 362, by Representatives Adams, Cunningham and Parker (by Department of Social and Health Services request):

Subrogating the department of social and health services to certain rights of persons who receive public assistance.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 363, by Representatives Adams, Cunningham, Parker and Tilly (by Department of Social and Health Services request):

Changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 365, by Representatives Bluechel, Conner and Williams (by Department of Social and Health Services request):

Providing for qualifications of superintendents of institutions.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 394, by Representatives Kilbury and Brown:

Providing for changes in the publication of notice of proposed constitutional amendments.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 399, by Representatives Bluechel, Perry, and Kopet (by Secretary of State request):

Implementing laws relating to the secretary of state.  
Referred to Committee on State Government.

HOUSE BILL NO. 422, by Representatives Bausch and Kilbury (by Department of Labor and Industries request):

Changing the name of the division of safety, department of labor and industries to the division of industrial health and safety.

Referred to Committee on Labor.

HOUSE BILL NO. 426, by Representatives Eng, Brown and Maxie (by Secretary of State request):

Publishing notice of constitutional amendments and referendum bills.  
Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 453, by Representatives Johnson, Gallagher, Kuehnle and Leckenby:

Providing certain benefits to children of retired patrolmen.  
Referred to Committee on Higher Education.

HOUSE BILL NO. 481, by Representatives Beck, Smith and Randall:

Providing for the disposition of water district property to a public utility district.  
Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 482, by Representatives Hansen, North (Frances), Haussler, Johnson, Kilbury, Fortson, Van Dyk and Tilly:

Providing an alternative payment method for agricultural employees under the laws of industrial insurance.

Referred to Committee on Labor.

HOUSE BILL NO. 523, by Representatives Hendricks, Kalich, Thompson, Hansey, Paris and Zimmerman:

Empowering the attorney general or governor to defend state officers in certain civil and criminal proceedings.

Referred to Committee on State Government.

HOUSE BILL NO. 566, by Representatives Ceccarelli, Barden and Chatalas:

Requiring savings and loan associations to pay for the cost of state supervision.  
Referred to Committee on Financial Institutions.

SUBSTITUTE HOUSE BILL NO. 589, by Committee on Commerce (originally sponsored by Representatives Bagnariol, Curtis, Morrison, Jastad, Swayze, Wojahn and Gilleland:

Regulating collection agencies.

Referred to Committee on Commerce.



HOUSE BILL NO. 698, by Representatives King, Brown and Valle:  
Implementing the law relating to prevention and correction of certain election frauds and errors.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 721, by Representative Bagnariol:

Changing certain of the laws relating to insurance.

Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 821, by Representatives Pardini, Wojahn and Curtis:

Providing for prearrangement contracts for the purchase of cemetery merchandise or services.

Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 827, by Representatives Bausch, Bluechel and Williams:

Providing that county comprehensive plans may cover a portion of such county.

Referred to Committee on Local Government.

HOUSE BILL NO. 847, by Representatives Paris and Kalich:

Repealing certain limitations on county legal aid programs.

Referred to Committee on Local Government.

#### MOTION

At 12:25 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### MOTION

At 1:40 p.m., on motion of Senator Bailey, the Senate recessed until 3:45 p.m.

#### SECOND AFTERNOON SESSION

The President called the Senate to order at 3:45 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:08 p.m.

#### SECOND READING

SENATE CONCURRENT RESOLUTION NO. 125, by Senators Bailey and Mardesich:  
Providing for changes in the Joint Rules of the Senate and House of Representatives.

The Senate resumed consideration of Senate Concurrent Resolution No. 125. The resolution was read in full on Saturday, March 17, 1973 and placed on the second reading calendar for Monday, March 20, 1973.

Senator Greive moved adoption of the following amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

Beginning on page 2, line 13, strike all of the material down to and including "house. on page 6, line 13, and substitute the following:

"Rule 8. The presiding officer of each house shall appoint on such conference committee three members, selecting them so as to represent, in each case, the attitude of the majority and minority upon the differences between the houses: *PROVIDED, That all meetings of conference committees shall be open to the public.*

*Rule 9.* In case of a failure of the conferees to agree on matters directly at issue between the two houses, a report of the items of such disagreement including new proposed items within the scope and object of the title of the bill in conference shall be made and the power of free conference may be granted to the two houses either to the same committee, or the committee may be discharged and a new committee appointed with the power of free conference, to whom only items of disagreement or new items approved by one house in the disputed bill or resolution may be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be acted upon in the same manner as provided for reports of conference committees: *PROVIDED, That all meetings of free conference committees shall be open to the public: PROVIDED FURTHER,* That the house and senate shall have thirty-six hours during a regular session and twelve hours during a session of ten days or less from the time of receipt in the house originating the conference request to consider reports from a free conference committee and shall not vote thereon until [the thirty-six hour] such period shall have elapsed except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: *PROVIDED FURTHER,* That irrespective of any rule herein or any rule of either the senate or the house of representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote of all the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature.

*Rule 19.* [Senate bills in the house and house bills in the senate, in possession of the rules committees, shall be selected for the calendars of both the senate and house on Wednesday of each week during the session, and to follow the progress of senate bills in the house and house bills in the senate, the president of the senate shall appoint three members of the senate rules committee and the speaker of the house shall appoint three members of the house rules committee, who will jointly act as an advisory calendar committee in regard to senate bills in the house and house bills in the senate, said advisory committee to be appointed not later than the fifteenth day of the session.]

*A majority of each house shall, within ten days after the beginning of a special session, set the date at which the session shall adjourn sine die. Upon approval of two-thirds of the members of each house a special session may be extended: PROVIDED, That no per diem shall be paid to the members during such extension.*

*The legislative budget committee shall be responsible for performance audit functions for the legislature.*

*During the legislative interim the following commissions shall be continued:*

- The public pension commission,*
- The oceanographic commission,*
- The Columbia interstate compact commission,*
- The joint commission on legislative ethics,*
- The council on higher education,*
- The judicial council,*
- The state employees insurance board, and*
- The world's fair commission.*

*Rule 28.* [A committee bill may originate in either house, provided the entire committee unanimously favors the introduction of such bill at a regularly called meeting of the committee. Each member of the committee shall endorse his name thereon. The rules committee of either house may introduce bills upon executive request by a two-thirds vote of the committee. No bill shall be introduced as a joint committee bill.]

*During the interim, committee bills may be filed by a standing committee. The signature of a majority of the members of the committee shall be endorsed upon the cover of the original bill. Senate committee bills shall be filed with the secretary of the senate. House committee bills shall be filed with the chief clerk of the house.*

*During the interim, committee bills shall be printed and referred to the committee on rules, planning, and administration: PROVIDED, That any bill so referred shall be read in on the first day of any regular or special session so that said committee may take immediate action.*

*Executive and departmental request bills may be introduced in either house and assigned to the appropriate committee in the usual manner.*

**Rule 29.** [Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.]

All joint public hearings held by [joint] the committees shall be scheduled at least five days in advance, shall be open to the public, and shall be given publicity: PROVIDED, That [this] the notice and scheduling provision shall not apply to joint hearings held after the fiftieth day of the regular session or during any special session.

**Rule 31.** The sessions of the legislature shall be held biennially, convening at 12 o'clock noon on the second Monday of January each odd year, as provided by chapter XX of the Laws of 1891 (44.04.010, RCW) in accordance with Art. 2, section 12 of the state Constitution.

*The first special session of the 43rd Legislature shall adjourn sine die no later than the seventh day of April.*

**Rule 33.** The permanent joint rules adopted and amended at the regular session shall govern any special session called during the same legislative biennium.

**NEW RULE. Rule 36.**

(1) All standing interim committees of both houses may take executive action on bills, to be ratified only while the legislature is convened in session: PROVIDED, HOWEVER, That committee hearings of either house may be held while the legislature is convened or during a recessed or interim period.

(2) When the legislature is not convened in session, standing committees, subcommittees, and select committees may conduct meetings and hold hearings on such legislation and matters as may be assigned to the standing committee, and, in turn, assigned to the select or subcommittee.

Standing committees, subcommittees, and select committees may conduct hearings and scheduling without a quorum being present, but executive action shall require a quorum.

**NEW RULE. Rule 37.** Regardless of whether the legislature is in session, and subject to the provisions of Rule 31 and Rule 36 to the extent applicable, members of the legislature and the president of the senate may receive from moneys appropriated for the legislature, reimbursement for, necessary travel expenses and payments in lieu of subsistence and lodging for conducting official business of the legislature.

**NEW RULE. Rule 39.** During the legislative interim each standing committee shall be continued as an interim committee with powers to study and make recommendations as to any subject within its purview.

Each standing committee when operating as an interim committee shall have a chairman and if during the interim the committee has a vice chairman or vice chairmen, that vice chairman or those vice chairmen shall be chairmen of a subcommittee or subcommittees and the chairman and vice chairman or vice chairmen shall agree on a division of the committee's agenda for the interim.

The following standing committees, acting as interim committees, may employ research assistants, one of which shall act as clerk:

The senate and house committees on

- (1) Ways and Means—four research assistants each
- (2) Transportation and Utilities—four research assistants each
- (3) Social and Health Services—three research assistants each
- (4) Judiciary—two research assistants each

The assistant first engaged shall be employed by and responsible to the committee chairman. If there be more than one such assistant, the second assistant shall be chosen by the minority members of the committee and shall report to the ranking minority member, and additional assistants, if any, shall be employed by and report to the committee vice chairman or vice chairmen. Each other committee shall share a research assistant, who shall act as committee clerk, as follows:

- Local Government and State Government—one clerk
- Higher Education and Lower Education—one clerk

Agriculture and Ecology—one clerk  
 Financial Institutions and Parks and Recreation—one clerk  
 Commerce and Labor—one clerk  
 Natural Resources and Constitution and Elections—one clerk  
 All meetings shall be fully open to the public.

The president of the senate and speaker of the house shall provide scheduling for all committees for their respective houses.

*NEW RULE. Rule 40.* From moneys appropriated therefor, each of the interim committees may expend funds for salaries and operations: PROVIDED, That the legislature shall fund the interim committees as constituted herein based upon the personnel allocated: PROVIDED FURTHER, That money appropriated to any standing committee shall not be more than three times the amount appropriated to any other committee.

Any interim funds for research relating to highways shall be divided, one-half to the Senate Transportation and Utilities Committee, and one-half to the House Transportation and Utilities Committee which shall be in addition to moneys appropriated above: PROVIDED, That this money shall not be used for the regular administration of the committee or subcommittee.

The appropriation for each committee shall include travel and per diem incidental to committee business.

During the interim the chairmen and vice chairmen of each committee shall be entitled, if they do not draw secretarial allowances, to employ a secretary. All members shall be entitled, unless they are provided a secretary, to a secretarial allowance of \$250.00 per month. All such employees shall be paid upon voucher from appropriations for this purpose.

*NEW RULE. Rule 41.* The rules committees of each house shall be constituted as interim committees, each to be known as the rules, planning, and administrative interim committee. The committees shall:

(1) Study and make recommendations on a broad scale for the furtherance of the social and economic welfare of the state;

(2) Develop a legislative state of the state message for the next regular session, which shall include specific reference to bills previously assigned to and developed by standing interim committees and delineation of steps necessary to their implementation;

(3) Develop an advance proposed calendar for any special session and for the first two weeks of the special session to be convened in January, 1974;

(4) Determine standards for and obtain necessary personnel, other than committee secretaries and staff, for the legislature for the interim period;

(5) Allot such additional personnel to the interim committees as may be necessary; and

(6) Provide employees to the caucuses as may be necessary, and provide for the maintenance of the senate and house in the interim."

#### POINT OF ORDER

Senator Durkan: "Who is the amendment by? By Greive and Lewis?"

#### PRESIDENT'S REPLY

The President: "By Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke."

On motion of Senator Mardesich, the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke was adopted:

On page 1, strike lines 5 through 7.

There being no objection, Senator Lewis (Harry) withdrew all of the Lewis (Harry) amendments placed on the Secretary's desk last week to Senate Concurrent Resolution No. 125.

## POINT OF ORDER

Senator Marsh: "Mr. President, the copy on my desk says, 'Senate committee amendment to the amendment by Senator Lewis'. I understand Senator Lewis has withdrawn his amendment so I submit this is out of order at this time."

## REPLY BY THE PRESIDENT

The President: "The President has been advised by our Secretary that, if you are reading from the same document, the Senate committee is stricken, 'Senate committee' is stricken, 'to the amendment by Senator Lewis (Harry)' is stricken. In other words, the amendment as corrected or revised to indicate that this amendment is proposed by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke."

Senator Marsh: "Mr. President, to what?"

## REPLY BY THE PRESIDENT

The President: "Amendment to Senate Concurrent Resolution No. 125 by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke."

Senator Marsh: "Thank you, Mr. President."

The President: "It has been moved by Senator Greive that the Secretary be instructed to read the last line."

## POINT OF ORDER

Senator Fleming: "Was the information on line 5 stricken also?"

## REPLY BY THE PRESIDENT

The President: "The information on line 5 was stricken."

## POINT OF ORDER

Senator Bailey: "Mr. President, we are now talking about adopting joint rules and amending our joint rules. My point of order that in amending the joint rules we have in here the words '*sine die*' at the end of the seventh of April. That is on page 4, line 17. Now my point would be this, that in adjourning *sine die* since later on in this resolution we provide for the taking care of committees, I do not think we can adjourn *sine die* and take care of this matter in a joint rule because I think when a joint rule is adopted it dies with the *sine die* resolution."

Senator Greive: "I defer to Senator Dore to argue this particular point."

Senator Dore: "I did not hear the question. I was getting ready to make remarks for the amendment. I did not hear the point of order being raised."

## REMARKS BY SENATOR GREIVE

Senator Greive: "Mr. President, in answer to Senator Bailey, I think we have a substantial constitutional question in this particular set of circumstances as to whether or not this has the force of a bill where it deals only with our joint operations. It would seem to me that we are in a position, and there is considerable constitutional authority to that effect, to set ourselves in regular session and provide for matters during the interim, provided both houses act, without the signature of the Governor, because all of these matters deal only with our own operations. Even if it is not, we have to be realistic. There is another house and there will be provisions and there will be amendments. I think that it is a very proper statement of policy of this Senate, provided we can persuade enough votes on the floor of the Senate to adopt the policy and I think it is time that this entire matter be debated and that a matter of policy be transmitted to the other house."

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## REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, my point is this; while it is true that we can take care of this by concurrent resolution, and we have done this in many, many bills, if the joint resolutions or the joint rules carried over we would not have to adopt new joint rules every time that we had a session. Right now we have no joint rules before us and I just do not think these continue after the words sine die."

## REMARKS BY SENATOR CLARKE

Senator Clarke: "Mr. President, speaking upon the point of order, it would seem to me that this is rather similar to the situation where toward the close of the regular session we adopt in effect a joint resolution which maintains the bills in their status quo with respect to another anticipated session which is subsequent to sine die. It seems to me we have a precedent in that connection."

## REMARKS BY SENATOR GREIVE

Senator Greive: "In the field of law we have a phrase that something goes to the weight rather than to the substance. It would seem to be that the best that Senator Bailey's argument could be, he would say that this does not have sufficient weight and that is something to be decided later. But to whether or not we can do it certainly is not a valid objection at this time."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, I invite you to go back and look at the preamble to this amendment to the joint rules. It says, 'Be it resolved that the joint rules of the forty-third legislative session be adopted as the joint rules of the first extraordinary session,' and I submit to you again that we may do it by concurrent resolution, as Senator Clarke has said, but I say that by amending the joint rules we are killing this at the time we adopt sine die."

## REMARKS BY SENATOR GREIVE

Senator Greive: "Mr. President, I would like to call your attention to Senate Rule No. 57. 'Concurrent resolutions shall be subject to the rules governing the course of bills, and may be adopted without a roll call: PROVIDED, HOWEVER, That concurrent resolutions authorizing,' and so forth and so on. It would seem to me that joint rules are a concurrent resolution. It is a resolution adopted by both houses for the handling of their own business."

## REMARKS BY SENATOR MARDESICH

Senator Mardesich: "I would like also to point out that Rule No. 57 has no force and effect before this body at this time."

## RULING BY THE PRESIDENT

The President: "The President looks upon the matter raised by Senator Bailey as a parliamentary inquiry rather than a point of order and the President should like to clarify the situation in this manner. At the conclusion of each session the legislature historically has adopted a concurrent resolution either indefinitely postponing all measures or a concurrent resolution that provides other dispositions of the measures. Provisions must be made to keep the measures alive for a subsequent special session in this concurrent resolution before you or in another concurrent resolution which must be adopted before this special session adjourns sine die. Have I confused you or clarified?"

## POINT OF INQUIRY

Senator Mardesich: "Is the President saying in effect that the failure to pass another resolution with respect to this matter would render this one null and void?"

## REPLY BY THE PRESIDENT

The President: "Failure to pass a subsequent concurrent resolution would not render this one null and void but all bills would die with this session unless provided for in another concurrent resolution."

Senator Mardesich: "The effect would be that all the language that talks about the bills that should be considered would be of no effect, by committees and so on. This amendment provides that the bills shall stay in effect—it does not provide—it provides that committees shall study the bills which they have before them. Without another resolution there would be nothing before the committees in the interim."

## REPLY BY THE PRESIDENT

The President: "The President believes, Senator Mardesich, that your question is one that should be answered by the members."

## REMARKS BY SENATOR HARRY LEWIS

Senator Lewis (Harry): "Mr. President, in attempting to answer Senator Mardesich's question as I understand it, historically we have studied bills during the interim which studies have been activated by various types of resolutions, concurrent or Senate resolutions. I see nothing in this resolution that would prohibit study of any matter in continuing committees or interim committees. I see nothing whatsoever that would prohibit that and I think that is the essence of your question and argument."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "The issue I raised at the time was not when it relates to bills, it was whether or not the joint rules would be effective after sine die. Now in effect, is it your opinion if we do not pass any further resolutions that these joint rules then will be effective after sine die?"

## REPLY BY THE PRESIDENT

The President: "No, they would not be, Senator Bailey."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "It is your opinion then that we have to have a subsequent resolution in order to restaff these committees and make these committees operate, and all we are doing here is an empty gesture. We are only adopting for now; for the interim we will have to readopt this before it can be effective?"

## REPLY BY THE PRESIDENT

The President: "That is true in the President's opinion, Senator Bailey."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "In other words, I won my point."

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## REPLY BY THE PRESIDENT

The President: "In essence, the President believes you have."

## REMARKS BY SENATOR WHETZEL

Senator Whetzel: "Is it also true then that the code of ethics for legislators dies at the end of the session, since that is also in the joint rules, that we have no ethics or code of ethics to guide us?"

## REPLY BY THE PRESIDENT

The President: "I believe the code of ethics is provided for in a statute, Senator Whetzel."

## REMARKS BY SENATOR GREIVE

Senator Greive: "It may be in a statute, but it is also part of the joint rules."

## REMARKS BY SENATOR RIDDER

Senator Ridder: "I think we are providing here a vehicle and I think that the vehicle, you all know, is going to go over to the House. Something will be done with it here. And I think we are providing a vehicle for doing this and looking at this as a fait accompli or the end I think is the wrong way to look at it. We must get dialogue going or we are going to stagnate. Now let us get this on the road and get our dialogue going."

## PARLIAMENTARY INQUIRY

Senator Durkan: "Are we going to be working off of the Senate committee amendment to the amendment by Senator Lewis, by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke? Is that the one that we are going to be working off of?"

## REPLY BY THE PRESIDENT

The President: "Yes it is, Senator Durkan. The only difference is that Senator Lewis's name has been deleted."

Senator Atwood moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 1, after "houses" on line 13, strike all the matter down to and including "*public*" on line 14.

Debate ensued.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Sandison, Lewis (Harry), Metcalf, Bottiger, Van Hollebeke, Grant, Jones, Lewis (Bob) and Washington.

## ROLL CALL

The Secretary called the roll and the amendment by Senator Atwood to the amendment was not adopted by the following vote: Yeas, 15; nays, 34.

Voting yea: Senators Atwood, Canfield, Clarke, Guess, Knoblauch, Lewis (Harry), Matson, Metcalf, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Woodall—15.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Lewis (Bob), Mardesich, Marsh, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—34.



Senator Whetzel moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 3, line 29, strike all of the material through the period on line 31.

#### PARLIAMENTARY INQUIRY

Senator Marsh: "I have an amendment on the desk which would deal with lines 1 through 10. Would that not be in order at this time or will we have an opportunity to consider that after we consider Senator Whetzel's amendment?"

#### REPLY BY THE PRESIDENT

The President: "Your amendment will be considered immediately following that of Senator Whetzel's, Senator Marsh."

Debate ensued.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Sandison, Guess, Durkan, Whetzel, Jones, Lewis (Harry), Bottiger, Donohue and Grant.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Whetzel to the amendment was not adopted by the following vote: Yeas, 20; nays, 29.

Voting yea: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Wanamaker, Whetzel, Woodall—20.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—29.

On motion of Senator Marsh, the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke was adopted:

On page 3, lines 1 through 10, strike all of the material.

Senator Scott moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 2, line 27, strike all the matter down to and including "extended" on line 30 and insert: "*All special sessions shall adjourn sine die within thirty consecutive days unless two-thirds of the members of each house agree to extend such special session by a specific number of days.*"

Debate ensued.

Senator Lewis (Harry) demanded a roll call and the demand was sustained by Senators Atwood, Canfield, Connor, Ridder, Matson, Clarke, Newschwander, Stender and Metcalf.

Further debate ensued.

Senators Lewis (Harry), Atwood and Metcalf demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Scott to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Scott to the amendment was adopted by the following vote: Yeas, 25; nays, 24.

Voting yea: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Wanamaker, Whetzel, Woodall—25.

Voting nay: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Francis,

Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Walgren, Washington, Woody—24.

Senator Bailey moved adoption of the following amendment by Senators Bailey and Grant to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 2, line 30, after "*extended*" strike the balance of the material down to and including "*extension*" on line 31.

Debate ensued.

#### POINT OF ORDER

Senator Durkan: "I wonder if the members would listen to Senator Bailey because he thinks it is important enough to discuss it."

Further debate ensued.

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, I assume that all that is being stricken now is the proviso?"

#### REPLY BY THE PRESIDENT

The President: "Did you make such a motion, Senator Grant? Senator Grant has moved that the only matter stricken begins with the word 'Provided,' the proviso, Senator Mardesich."

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, may I address myself to that issue then? I do not know who Senator Greive refers to when he speaks about Icelanders and Greenlanders. I can make some comments with respect to self discipline and point out that what he was talking about was while he was leader."

Senator Walgren demanded a roll call and the demand was sustained by Senators Fleming, Bailey, Bottiger, Odegaard, Connor, Grant, Woody, Dore and Donohue.

Further debate ensued.

#### ROLL CALL

The Secretary called the roll and the amendment by Senators Bailey and Grant to the amendment was adopted by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Stender, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—29.

Voting nay: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—20.

Senator Atwood moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 3, line 19, after "*signature of*" and before "*of the members*" strike "*a majority*" and insert "*two-thirds*".

Debate ensued.

The motion by Senator Atwood carried and the amendment to the amendment was adopted on a rising vote.

There being no objection, the amendment by Senator Whetzel to page 5, line 3 to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke was withdrawn.

Senator Marsh moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 5, line 19 of the amendment, strike "following" and on line 20, after "assistants" insert a period and strike all the material down through and including "clerk" on page 6, line 8.

Debate ensued.

#### POINT OF INQUIRY

Senator Bottiger: "Would Senator Newschwander yield to a question? Senator, do I understand that you participated in drawing up the allocation of the committees and the number of staff assigned?"

Senator Newschwander: "Senator Bottiger, I was kept aware of what was going on."

#### POINT OF ORDER

Senator Stender: "I want to raise a point of order. What is the business before the house?"

#### REPLY BY THE PRESIDENT

The President: "The question is the adoption of the amendment proposed by Senator Marsh to the Senator Greive et al amendment."

Senator Stender: "I suggest that Senator Fleming talk to the motion."

Senator Fleming: "That is what I am talking to, and the motion is amending this area that deals with a policy question on committee setups."

Senator Stender: "You are talking about philosophy. It has nothing to do with the amendment."

Senator Fleming: "I am talking about the issue, Senator Stender."

Further debate ensued.

Senators Lewis (Harry), Peterson (Ted) and Metcalf demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the amendment by Senator Marsh to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Marsh to the amendment was not adopted by the following vote: Yeas, 24; nays, 25.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odgaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Walgren, Washington, Woody—24.

Voting nay: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Wanamaker, Whetzel, Woodall—25.

Senator Marsh moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

On page 6, lines 27 through 32, strike all the material through the period on line 32.

Debate ensued.

#### POINT OF INQUIRY

Senator Bailey: "I have a question of Senator Atwood. Senator Atwood, at the beginning of the session your caucus decided to name a number of people vice chairmen of these various committees. Would you interpret this to mean that they would be considered vice chairmen?"

Senator Atwood: "They are not vice chairmen, Senator Bailey. They are called minority chairmen and in this particular measure they are called the ranking member. I think if you will read this it says ranking member, it does not say minority chairman. But they would not be vice chairmen within the meaning of this, unless somebody appointed them to be vice chairmen."

Senator Walgren demanded a roll call and the demand was sustained by Senators Durkan, Bailey, Mardesich, Greive, Rasmussen, Day, Metcalf, Grant and Lewis (Harry).

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Marsh to the amendment was not adopted by the following vote: Yeas, 23; nays, 26.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Walgren, Woody—23.

Voting nay: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall—26.

Senator Henry moved adoption of the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

Beginning on page 6, line 12, strike all of NEW RULE 40.

#### POINT OF INQUIRY

Senator Dore: "Would Senator Henry yield to a question? Does your amendment apply to all of Rule 40?"

Senator Henry: "It might just as well."

Senator Dore: "Do you only intend to apply it to lines 19 through 24?"

Senator Henry: "Well, there have been so many drafts floating around here, including yours, that I could not make much head or tail out of it so I thought if I struck the whole rule I would probably find a nerve someplace."

#### MOTIONS

Senator Ridder moved that the question be divided.

Senator Henry moved that the amendment by Senator Henry to the amendment be changed to read as follows:

On page 6, beginning on line 19, strike the remainder of the paragraph on line 24.

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Dore yield? Senator Dore, will you look to the language on lines 16 through 18? It says that money appropriated to any standing committee shall not be more than three times the amount appropriated to any other standing committee. Now I understand there is probably a million dollars in funds involved with respect to the Highway Committee. Does this mean then we have to appropriate three hundred and thirty-three thousand dollars to the Committee on Parks?"

Senator Dore: "Of course, we are not going to have the problem if we adopt Senator Henry's amendment, but by this we are referring to the standing committees, not to any other but the standing committees. The Highway Committee, of course, is one of the standing committees, and it is just a rule of thumb. You may recall that you asked me to take the draft of the other day, to revise it and bring it to you this afternoon, which I did. I explained it in detail in the caucus. We were open to suggestions if this was not workable, to change it. It was just a mechanical device whereby we would put a lid on the number of employees in the interim, and this was the technique used. It is not any—it has no pride of

authorship, but had you desired to amend it or anything else but your response merely was to go to the floor for action. So apparently you were not desirous of considering any changes that we prepared over the weekend in your draft. We made a concerted effort to try to adopt this resolution into your joint rule last week but apparently you were not interested and wanted a vote on the floor immediately."

Senator Mardesich: "Will you answer yes or no?"

Senator Dore: "My answer is no."

Debate ensued.

The motion by Senator Henry carried and the amendment striking lines 19 through 24 on page 6 of the amendment was adopted.

On motion of Senator Bailey, the following amendment to the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke was adopted:

On page 6, line 29, after "secretary," strike the remainder of the paragraph.

The President declared the question before the Senate to be the adoption of the amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke, as amended.

Debate ensued.

Senator Walgren demanded a roll call and the demand was sustained by Senators Greive, Durkan, Ridder, Washington, Talley, Odegaard, Day, Newschwander, Washington and Jones.

#### ROLL CALL

The Secretary called the roll and the amendment, as amended, was adopted by the following vote: Yeas, 25; nays, 24.

Voting yea: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Twigg, Van Hollebeke, Wanamaker, Whetzel, Woodall—25.

Voting nay: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Walgren, Washington, Woody—24.

#### MOTION

At 7:15 p.m., Senator Mardesich moved that the Senate adjourn until 9:30 a.m., Tuesday, March 20, 1973.

Senator Dore demanded a roll call and the demand was sustained by Senators Atwood, Greive, Canfield, Jones, Murray, Newschwander, Lewis (Harry), Clarke and Scott.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Mardesich carried by the following vote: Yeas, 25; nays, 24.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Twigg, Wanamaker, Whetzel, Woodall—24.

At 7:25 p.m. the Senate adjourned until 9:30 a.m., Tuesday, March 20, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWELFTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, March 20, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger and Francis. There being no objection, Senator Bottiger was excused.

The Color Guard, consisting of Pages Jim Hillier and Katherine Glaser, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD OUR FATHER, HELP US IN OUR STAND TODAY FOR WHAT IS PURE AND TRUE, FOR WHAT IS JUST AND GOOD, FOR THE REDEMPTION OF OUR DAILY ROUTINE FROM THE BLIGHT OF SELF SEEKING, FOR THE RIGHTS OF THE WEAK AND THE OPPRESSED, FOR THE CONSERVATION OF OUR HERITAGE, FOR THE NEW WORKINGS OF THY SPIRIT IN THE MINDS OF THE MEN OF OUR TIME, FOR THE HOPE OF BETTER DAYS AHEAD AS WE WORK IN COOPERATION WITH THEE. THROUGH CHRIST OUR LORD. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

March 19, 1973.

SENATE BILL NO. 2061, providing for custody and/or visitation rights for persons other than natural parents in certain cases (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 19, 1973.

SENATE BILL NO. 2134, providing for no-fault automobile insurance (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2134 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Durkan, Greive, Twigg.

Passed to Committee on Rules for second reading.

March 19, 1973.

SENATE BILL NO. 2189, providing that the personal representative may recover for pain and suffering on behalf of certain beneficiaries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 19, 1973.

SENATE BILL NO. 2227, increasing Yakima County superior court from four to five members (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2227 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

March 19, 1973.

SENATE BILL NO. 2295, regulating the conservatorship of disabled persons (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2295 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Dore, Durkan, Twigg.

Passed to Committee on Rules for second reading.

March 20, 1973:

SENATE BILL NO. 2305, allowing inspection of own personnel files by community college faculty members (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Scott.

Passed to Committee on Rules for second reading.

March 19, 1973.

SENATE BILL NO. 2319, providing for the care and treatment of the criminally insane (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Twigg, Woodall.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2573, allowing designee of director of state system of community colleges and vice chairman of state board of community college education to execute contracts entered into by board (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2590, revising provisions regarding urban arterial trust account funds (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Wanemaker.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2600, enacting the state liquor control board omnibus bill (reported by Committee on State Government):

Recommendation: That Substitute Senate Bill No. 2600 be substituted therefor and the substitute bill do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2814, providing for deferred increases in tuition through making and payment of notes (reported by Committee on Higher Education):

MAJORITY recommendation: Without recommendation, as amended, and that the bill be referred to Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Metcalf.

There being no objection, Senate Bill No. 2814 was referred to the Committee on Ways and Means.

March 20, 1973.

SENATE BILL NO. 2847, permitting professional musicians eighteen years of age to entertain in licensed premises (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 20, 1973.

ENGROSSED HOUSE BILL NO. 234, implementing law relating to higher education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

March 20, 1973.

SUBSTITUTE HOUSE BILL NO. 589, regulating collection agencies (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 20, 1973.

ENGROSSED HOUSE BILL NO. 741, requiring continuing education for CPA's (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE GOVERNOR

Office of the Governor, March 19, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 19, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2038: Revising the tax exemption for nature conservancy lands.



SENATE BILL NO. 2251: Setting requirements for corporate names for miscellaneous and mutual corporations.

SENATE BILL NO. 2350: Appointing pro tempore judges of the court of appeals.

SENATE BILL NO. 2440: Implementing the laws of transportation.

SENATE BILL NO. 2464: Providing for competitive bidding for highway construction and maintenance.

SENATE BILL NO. 2559: Relating to fairground capital improvements.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, March 19, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 19, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2109: Providing procedures for advance payment of services rendered to the state.

SENATE BILL NO. 2163: Authorizing conduct of certain educational programs for military personnel by community colleges.

SENATE BILL NO. 2341: Transferring certain statutory duties of the state auditor.

SENATE BILL NO. 2342: Authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms.

SENATE BILL NO. 2400: Raising service of process fee for nonresident corporation doing business in Washington from two to five dollars.

SENATE BILL NO. 2508: Permitting disposition of certain property to the federal government.

SENATE BILL NO. 2527: Providing industrial insurance coverage to registered apprentices during supplemental and related instruction classes.

SENATE BILL NO. 2568: Authorizing second class school districts to draw and issue their own warrants.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

#### MESSAGES FROM THE HOUSE

March 19, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 502, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 19, 1973.

Mr. President: The Speaker has signed SUBSTITUTE SENATE BILL NO. 2113, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 19, 1973.

Mr. President: The House has receded from its amendment to ENGROSSED SENATE BILL NO. 2111, and has passed the bill without the House amendment., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 19, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 595,

SUBSTITUTE HOUSE BILL NO. 1005, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2111,

HOUSE BILL NO. 502.

#### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 11:20 a.m.

#### MESSAGE FROM THE HOUSE

March 20, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 42, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2894, by Senators Dore, Mardesich, Woody and Van Hollebeke:

An Act relating to financial institutions; and adding a new section to chapter 33.12

RCW.

Referred to Committee on Financial Institutions.

There being no objection, additional sponsors were permitted on Senate Bill No. 2894.

HOUSE BILL NO. 595, by Representatives Kopet, Shinpoch and Newhouse:

Abolishing certain accounts within the general fund.

Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 1005, by Committee on Ways and Means (originally sponsored by Representatives Conner and Chatalas):

Exempting certain retirement benefits from inheritance taxation.

Referred to Committee on Ways and Means.

HOUSE CONCURRENT RESOLUTION NO. 42, by Representative Charette:

Joint session presenting Viet Nam bonus check to prisoner of war.

#### MOTIONS

On motion of Senator Atwood, House Concurrent Resolution No. 42 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 42 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 17, 1973.

Mr. President: The House has passed SENATE BILL NO. 2054 with the following amendment:

On page 2, beginning with line 8 strike all of subsection (3) down through and including line 15, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Wanamaker moved that the Senate concur in the House amendment to Senate Bill No. 2054.

#### POINT OF INQUIRY

Senator Greive: "Would Senator Wanamaker yield to a question? Senator Wanamaker, I am unfamiliar with the bill. I would like to have you explain what bill we are talking about here."

Senator Wanamaker: "This is the bill, Senator Greive—at the present time if your license is revoked, in order to get this license reinstated there is no cost. It is costing the department something over ten dollars to reinstate these licenses and so now we are putting on a charge of ten dollar fee for the reinstatement of a driver's license."

The motion by Senator Wanamaker carried and the Senate concurred in the House amendment to Senate Bill No. 2054.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2054, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Dore, Durkan, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—42.

Voting nay: Senators Fleming, Grant, Washington—3.

Absent or not voting: Senators Donohue, Francis—2.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2054, 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 HOUSE

March 19, 1973.

Mr. President: The House has passed SENATE BILL NO. 2176, with the following amendment:

On page 1, section 1, line 17 after "*PROVIDED*," strike all material down to and including the word "*compensation*" and insert "*That any district providing insurance benefits for its employees in any manner whatsoever, may provide business related travel, liability, health, errors and omissions and accident insurance, for its commissioners, which insurance shall not be considered to be compensation*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Gardner, the Senate concurred in the House amendment to Senate Bill No. 2176.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2176, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Voting nay: Senator Whetzel, Woodall—2.

Absent or not voting: Senators Francis, Keefe—2.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2176, 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 HOUSE

March 19, 1973.

Mr. President: The House refuses to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 601, and asks the Senate to recede therefrom, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Grant, the Senate refused to recede from the Senate amendment to Engrossed House Bill No. 601, and asks the House for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 601 and the Senate amendment thereto: Senators Grant, Clarke and Washington.

## MOTION

On motion of Senator Lewis (Harry), the Conference Committee appointments were confirmed.

There being no objection, the Senate returned to the third order of business.

## MESSAGE FROM THE GOVERNOR

Office of the Governor, March 16, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment subject to your confirmation:

HOWARD S. WRIGHT, appointed March 16, 1973 for a term ending January 14, 1977, succeeding Robert Earley as a member of the Washington State Horse Racing Commission.

Sincerely,  
DANIEL J. EVANS  
Governor.

Referred to the Committee on State Government.

## PARLIAMENTARY INQUIRY

Senator Woodall: "Would the President inquire from the Secretary, are there any other messages relating to any other appointments to the Horse Racing Commission presently in the hands of the Secretary?"

## REPLY BY THE PRESIDENT

The President: "In reply to your question, Senator Woodall, the Secretary has advised the President that there are no other messages in his possession."

## MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 2226 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

On motion of Senator Mardesich, Senate Bill No. 2063 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 125, by Senators Bailey and Mardesich: Providing for changes in the Joint Rules of the Senate and House of Representatives.

## MOTIONS

Senator Greive moved that Senate Concurrent Resolution No. 125 be advanced to third reading.

On motion of Senator Greive, Senate Concurrent Resolution No. 125 was made a special order of business for 2:30 p.m. today.

## MOTIONS

On motion of Senator Mardesich, Engrossed House Bill No. 291 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

## SECOND READING

SENATE BILL NO. 2574, by Senators Guess and Sandison:

Providing for master degree of social work at Eastern Washington State College.

The bill was read the second time by sections.

On motion of Senator Guess, Senate Bill No. 2574 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Guess yield to a question? You mean we need more professional social workers? We do not have enough of them already?"

Senator Guess: "No, sir, we do not have enough of them, Senator, and I understand that the way that these people will receive their degrees is by working in the field and they will have the opportunity of working with those people that they cover and I think that this is a very worthwhile degree to be added to the EWSC."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2574, and the bill passed the Senate by the following vote: Yeas, 36; nays, 10; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Fleming, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Wanamaker, Washington, Woody—36.

Voting nay: Senators Clarke, Durkan, Gardner, Mardesich, Newschwander, Rasmussen, Twigg, Walgren, Whetzel, Woodall—10.

Absent or not voting: Senator Francis—1.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2574, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

HOUSE BILL NO. 304, by Representatives Chatalas, Bluechel and North (Frances):

Changing law respecting school district's contribution for insurance and protection of board members, employees, etc.

The bill was read the second time by sections.

On motion of Senator Gardner, House Bill No. 304 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Guess: "Would Senator Gardner yield? Senator Gardner, can you tell me what the fiscal impact of this is going to be if all of the schools comply?"

Senator Gardner: "Senator Guess, this is a matter of judgment, but if you adopt the philosophy that in negotiation you can negotiate not only for salaries but for benefits also, you are going to have some districts that basically will prefer to negotiate for salary increases and leave the insurance benefits as they are. You will have others that recognize the fact that the insurance benefits are non-taxable to the individuals receiving them and consequently, you know, my thoughts on the answer to you would be, there would be necessarily no effective increase at all. It would just be a balanced increase. If you put a freeze on the amount of insurance benefit you can negotiate, you are just going to negotiate up in the salary level. Some districts would prefer not to have as much salary and to negotiate on the benefit level."

Senator Guess: "Senator Gardner, can you tell me what the package is costing now that the schools have negotiated and the coverage that they are giving when we are paying half of the cost, at least the twenty dollar cost?"

Senator Gardner: "No, I cannot, Senator Guess."

## POINT OF INQUIRY

Senator Atwood: "Would Senator Ridder yield? Senator Ridder, what is the average contribution to insurance by the local school districts now state-wide?"

Senator Ridder: "You embarrass me. I think it is fifteen dollars. Some might go to twenty."

Senator Atwood: "Is it not true that in some of them the average is only around eight or nine dollars?"

Senator Ridder: "This is true, yes."

Senator Atwood: "That is the average."

Senator Ridder: "Some do not take the full amount that they are capable of taking."  
 Senator Atwood: "Most of them do not."  
 Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Will Senator Grant yield? Do I take it from your remarks then you will stand firm with us next trip around when the districts come back and say, 'Due to what you voted, we now need an increased state appropriation,?' You will stand firm with the likes of Atwood and me when we oppose giving it to them?"

Senator Grant: "A very difficult question, Senator. I would not presume to say what I might do during the next session."

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 304, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Dore, Fleming, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—37.

Voting nay: Senators Atwood, Donohue, Durkan, Guess, Matson, Twigg, Wanamaker, Woodall—8.

Absent or not voting: Senators Francis, Greive—2.

Excused: Senator Bottiger—1.

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.

#### MOTIONS

On motion of Senator Woodall, Senate Bill No. 2139 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

On motion of Senator Odegaard, Senate Bill No. 2518 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

#### SECOND READING

SENATE BILL NO. 2502, by Senators Francis, Whetzel and Henry (by Washington State Women's Council request):

Implementing HJR 61.

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2502 was made a special order of business for 2:00 p.m. today.

#### SECOND READING

SENATE BILL NO. 2643, by Senators Dore and Mardesich:

Permitting bank holding companies to acquire 100% control on one bank, but no more than 25% of more than one bank.

The bill was read the second time by sections.

On motion of Senator Dore, Senate Bill No. 2643 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2643, and the bill passed the Senate by the following vote: Yeas, 41; nays, 5; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Voting nay: Senators Durkan, Fleming, Grant, Rasmussen, Walgren—5.

Absent or not voting: Senators Francis—1.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2643, having received the 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. 2515, by Senators Francis and Clarke:

Authorizing the investment of trust funds in certain policies of life insurance.

The bill was read the second time by sections.

On motion of Senator Dore, Senate Bill No. 2515 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2515, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senator Durkan—1.

Absent or not voting: Senators Fleming, Francis—2.

Excused: Senator Bottiger—1.

SENATE BILL NO. 2515, having received the 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 Senator Greive, Senate Bill No. 2088 was ordered to hold its place on the second reading calendar for Wednesday, March 21, 1973.

## SECOND READING

SENATE BILL NO. 2490, by Senators Durkan, Matson, Mardesich, Fleming, Bottiger, Whetzel, Walgren, Gardner, Murray, Francis, Twigg, Washington, Greive and Woodall (by Executive request):

Granting victims of crime compensation under certain conditions.



## REPORT OF STANDING COMMITTEE

March 1, 1973.

SENATE BILL NO. 2490, granting victims of crime compensation under certain conditions (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 5, line 11, after "for" and before "damages" strike "their".

On page 8, after section 19, add a new section as follows:

"*NEW SECTION.* Sec. 20. This bill shall not take effect until the funds necessary for its implementation have been specifically appropriated by the legislature and such appropriation itself has become law. It is the intention of the legislature that if the governor shall veto this section or any item thereof, none of the provisions of this bill shall take effect."

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Gardner, Grant, Marsh, Metcalf, Peterson (Ted), Ridder, Scott.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

On motion of Senator Durkan, Engrossed Senate Bill No. 2490 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Durkan yield to a question? Senator Durkan, on page 4 it reads, 'PROVIDED, That in the event of the death of a victim who was not gainfully employed at the time of death, and who was not so employed for at least three of the twelve months immediately preceding injury, benefits payable to an eligible surviving spouse shall be limited to burial expenses as provided in RCW 51.32.050 as now or hereafter amended and a lump sum payment of seven thousand five hundred dollars with reference to children.' In the event that a person was inadvertently unemployed for that period of time, he still might be a long time breadwinner of the family and under the industrial insurance the widow and children would be entitled to a pension. That widow's pension over a period of years would amount to considerably more than the seven thousand. Wouldn't you think that that should have an amendment in there to provide that if he is the breadwinner and for a period of years, that she be entitled to the pension?"

Senator Durkan: "This is one of the areas in which you have to begin drawing the lines. It is a new concept on compensation. It is mainly intended to benefit that victim of the crime. Now I recognize that the logical conclusion is that you should also take care of it, if that victim is killed, then it should be also his wife and his children. But we have reached a point in time where the state, in order to be able to fund this, we had to make some arbitrary decisions and this is one of the decisions that we made. It may be that as we go down the road of experience with this bill in a year or two that we will want to come back and provide further and enlarge the scope. There are many things not in this bill that if you were talking about social justice you could very readily put in it but, frankly speaking, it became a question of how many dollars we were going to be able to invest in the initial inception of the bill and with that in mind, this particular view as to the widow and children was limited. I think that it was at best a good compromise and as good as we could do under the circumstances and if we once get a reading on the amount of dollars that it is going to cost us, then I think we can come back in and make those additional compensations. I would hope that the bill could pass as is and give us a chance to get some experience on it, Senator, and then come back and do the things that you want to do in that provision. There are other provisions in there that I think that we could do more on, but at the present time we are limiting it to the bill as provided."

Senator Rasmussen: "I agree with Senator Durkan. One more question. Take the case of an elderly person who is knocked down and her purse is snatched. Would this pay the hospital expense of that victim?"

Senator Durkan: "Yes, the bill will take care of the physical disabilities and also, under

the schedule as provided, if there are any permanent disabilities, they will also be taken care of. It will not provide for any compensation for the loss of the purse. In other words, if there was money in the purse, that is not provided for in this bill. What this bill provides for is the physical disability that occurs, and just that."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2490, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Francis—1.

Excused: Senator Bottiger—1.

ENGROSSED SENATE BILL NO. 2490, having received the 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

Senator Durkan moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-44

By Senators Durkan, Walgren, Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Chester Biesen, executive director of the Association of Washington Cities for thirty-six years, enjoyed one of the longest and most productive careers in local government until his retirement last July; and

WHEREAS, Chester Biesen joined the Association of Washington Cities in 1936, when it was only two years old, and deserves much of the credit for the growth and progress of the association, which has become one of the most successful in the United States; and

WHEREAS, Chester Biesen well understands the problems of the small and the large cities in the state; and he was tireless in his efforts to solve these problems; and

WHEREAS, During Chester Biesen's service as executive director of the Association of Washington Cities, Washington municipalities have significantly broadened their financial structure with additional liquor taxes and profits, a larger share of the gasoline tax, a portion of the automobile excise tax, and, most recently, authority to levy a one-half cent local sales tax. In addition to financial benefits, cities also have obtained increased administrative flexibility (notably the optional municipal code), and many restrictive proposals have been thwarted; and

WHEREAS, Chester Biesen served as a member of the House of Representatives of the state of Washington from Thurston County in 1927, and, throughout his career, he was especially effective in working with the state legislature in a constant effort to obtain legislation advantageous to the residents of our municipalities; and

WHEREAS, Chester Biesen interrupted his preparation for his doctorate in international law at the University of Washington to join the Association, and served the

Association until July 1972, interrupted only to serve with the United Nations staff for eighteen months after World War II as assistant in charge of displaced persons camps in Europe, and in 1948, to serve as the first director of the State Legislative Council;

NOW, THEREFORE, BE IT RESOLVED, That the Senate salutes Chester Biesen and expresses its profound gratitude to him for his great and imperishable contribution and distinguished public service to the cities and to good government generally of the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate to Chester Biesen.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Honorable Chester Biesen and appointed a special committee consisting of Senators Durkan, Fleming, Atwood and Metcalf to escort the honored guest to a place of honor upon the rostrum.

Appropriate remarks were made by Senators Durkan, Washington, Atwood, Canfield, Walgren, Mardesich, Knoblauch, Talley, Woodall, Fleming, Greive, Jolly, Dore, Rasmussen, Bob Lewis and Ted Peterson.

#### PRESIDENT'S PRIVILEGE

The President: "Chester, the President believes that the cordial remarks uttered here today could be summarized in the saying that personality has the power to open many doors, but only character can keep them open. It is quite evident that you had the personality to open the doors of all of the members of the legislature, but what is really important, it is more than evident that you had the character and have the character to keep them open. We are certainly happy that you are here, and do not think that you are getting away unscathed. You have to come up and face the mike. Chester Biesen."

#### REMARKS BY THE HONORABLE CHESTER BIESEN

Chester Biesen: "Mr. President and members of the state Senate, these words absolutely leave me speechless. This is such a surprise this morning. I certainly never anticipated anything like this in all my life. To those kind and gracious words, what can I say? If I could use one minute of personal privilege, however, I would say, gentlemen, retirement is great. You really have something to look forward to one of these days, some sooner, some later. And in no way, in no way do I miss the blood and the sweat and the tears that I spent around these marble halls for well over forty years now, ever since 1927, with just a short gap in between. But I do want to say very sincerely that I miss you gentlemen personally far more than I can say, because I consider every one of you a close personal friend. In terms of what Senator Knoblauch said about friendship, may I just say that your friendship to me, my feeling towards you, has heightened and deepened and ripened through the years because I know intimately and personally something of the great sacrifices that the gentlemen of this body make to serve the public and I wish sometimes I could tell the public that to a greater extent than I do. This is a grand group of men.

"And may I say too, that if I ever said anything unkind about any member of this body in the heat of battle, if I ever cast any aspersions about your mental prowess or what have you, when those few times, few times when one of those perfect, flawless, highly commendable bills we always sponsored went down the drain, if I ever said anything like that I take it all back and I certainly apologize now. But I would say, Mr. President and gentlemen, that you voted for far more bills than you ever turned down and we are grateful for the marvelous consideration that you gave. In fact, I think it was something like thirty or forty per session and many times Floyd Jennings and myself attempted to keep the sponsorship of some of our bills secret because we were afraid if you knew how many we were getting out of your Rules Committee and you were passing, you might think we were a little greedy, so in some cases we kept the sponsorship a rather guarded secret.

"Gentlemen, I do want to say very sincerely and humbly, this is the most unique and remarkable honor I have ever received in all my life and all I can say is thank you from the bottom of my heart and God bless you."

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Chester. The President only hopes that you have not spoken a little too soon. After all, the resolution has not been adopted yet."

#### MOTION

On motion of Senator Walgren, all members were added as sponsors to Senate Resolution 1973-44.

The motion by Senator Durkan carried and the resolution was unanimously adopted. The special committee escorted the honored guest to the Senate dining room.

#### MOTION

At 12:55 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2268, by Senators Bottiger, Woodall, Sellar and Wanamaker:  
Enacting the land sales disclosure act.

The bill was read the second time by sections.

On motion of Senator Woodall, Senate Bill No. 2268 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2268, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-46.

Absent or not voting: Senators Dore-1.

Excused: Senator Bottiger-1.

SENATE BILL NO. 2268, having received the 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. 2270, by Senators Bottiger, Woodall and Marsh:

Allowing court to stay order declaring a person an habitual traffic offender if due to alcoholism and person is receiving treatment.

## REPORT OF STANDING COMMITTEE

February 17, 1973.

SENATE BILL NO. 2270, allowing court to stay order declaring a person an habitual traffic offender if due to alcoholism and person is receiving treatment (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 25, after "person" and before "and that" insert "*as defined in RCW 70.96A.020, as now or hereafter amended*".

On page 1, section 1, line 25, after "undertaken" and before "treatment" insert "*and followed a course of*".

On page 2, section 1, line 3, after "RCW" strike "46.65.020" and substitute "46.65.020 (1)".

On page 2, section 1, line 4, after "RCW" strike "46.65.020" and substitute "46.65.020 (1)".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Marsh, the committee amendments were adopted.

On motion of Senator Marsh, Engrossed Senate Bill No. 2270 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2270, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—44.

Voting nay: Senators Washington, Whetzel—2.

Absent or not voting: Senator Dore—1.

Excused: Senator Bottiger—1.

ENGROSSED SENATE BILL NO. 2270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## RESIGNATION BY SENATOR JOHN STENDER

March 19, 1973.

THE HONORABLE DANIEL J. EVANS  
GOVERNOR, STATE OF WASHINGTON  
OLYMPIA, WASHINGTON

DEAR GOVERNOR EVANS:

Because of a pending nomination by the President of the United States to a position as Assistant Secretary in the Department of Labor, it is my decision to resign from the position of State Senator from the 30th District, effective at the close of adjournment of the Senate on March 19, 1973.

The new position will require that I be away from my home base. It is, of course,

regretted that I will not be able to continue the close relationship which I have had with you and my colleagues in the Senate, and others in state and local government.

I should like to thank everyone for their kindness and helpfulness over these past years of my service in the Senate. Although my new assignment will require that I temporarily reside in Washington, D.C., I want to say that I will continue to hold a deep interest in my home state.

Sincerely yours,  
JOHN H. STENDER  
Senator, 30th District.

cc: Dennis Dunn, Chairman  
King County Republican Central Committee  
Tracy Owens, Chairman  
King County Council

MESSAGE FROM THE SECRETARY OF STATE

Office of the Secretary, Olympia, Washington, March 20, 1973.

THE HONORABLE, THE PRESIDENT OF THE SENATE,  
THE LEGISLATURE OF THE STATE OF WASHINGTON.  
OLYMPIA, WASHINGTON.

SIR:

I have the honor to transmit herewith a certified copy of the appointment of Michael W. Mattingly to the position of State Senator, 30th Legislative District, filling the vacancy caused by the resignation of Senator John Stender.

Respectfully,  
A. LUDLOW KRAMER  
Secretary of State.

State of Washington, Department of State.

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington and custodian of its seal, hereby certify that according to the records on file in my office, the attached is a true and correct copy of the appointment of MICHAEL W. MATTINGLY by the King County Board of County Councilmen to the position of State Senator, 30th Legislative District, to fill the vacancy caused by the resignation of Senator John Stender.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol, this twentieth day of March, 1973.

(Seal of the State of Washington)

A. LUDLOW KRAMER  
Secretary of State.

KING COUNTY COUNCIL

March 20, 1973.

MR. A. LUDLOW KRAMER  
SECRETARY OF STATE  
STATE OF WASHINGTON  
OLYMPIA, WASHINGTON 98504

DEAR MR. KRAMER:

The King County Council in regular session on March 20, 1973, appointed Mr. Michael W. Mattingly, 3818 S.W. Dash Point Road, Federal Way, Washington, to the Washington

State Senate, replacing Senator Stender. Senator Mattingly was one of the recommended candidates submitted by the King County Republican Central Committee.

Yours very truly,  
JOHN HAMMOND  
Acting Clerk  
King County Council.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Francis, Scott, Canfield, Woodall, Washington and Greive to escort the Honorable Robert Brachtenbach, Justice of the Supreme Court, to the rostrum.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Atwood, Bailey, Lewis (Harry), Mardesich, Matson and Walgren to escort Michael W. Mattingly to the rostrum to receive the oath of office.

#### OATH OF OFFICE ADMINISTERED

The Honorable Robert Brachtenbach, Justice of the Supreme Court, administered the oath of office to the newly appointed Senator from the Thirtieth Legislative District replacing Senator John Stender, who resigned effective March 19, 1973.

The special committee escorted the newly appointed Senator to his seat in the Senate Chamber.

The special committee escorted the Honorable Robert Brachtenbach from the Senate Chamber.

#### SPECIAL ORDER OF BUSINESS

SENATE BILL NO. 2502, by Senators Francis, Whetzel and Henry (by Washington State Women's Council request):

Implementing HJR 61.

The time having arrived, the Senate commenced consideration of Senate Bill No. 2502.

#### REPORT OF STANDING COMMITTEE

February 17, 1973.

SENATE BILL NO. 2502, implementing HJR 61 (reported by Judiciary Committee): MAJORITY recommendation: Do pass with the following amendments:

On page 14, section 14, line 22, strike "*husband or wife*" and insert "[husband] *other spouse*".

On page 18, section 20, beginning on line 6, after "*scale*" strike all of the material down to but not including the comma on line 7 and insert "[for women and minors]".

On page 18, section 21, line 22, after "*haircutting*" and before the semicolon strike "on [female] persons" and insert "[on female persons]".

On page 20, section 23, line 26, after "*the*" and before "*spouse*" insert "*other*".

On page 20, section 23, line 28, after "[her]" strike "*person*".

On page 20, section 23, line 30, after "*the*" and before "*spouse*." insert "*other*".

On page 27, section 34, beginning on line 1, after "*unless*" strike all of the material down to but not including the comma on line 2 and insert "[by her misconduct he is justified in abandoning her] *the abandonment is justified by misconduct of the abandoned spouse*".

On page 27, section 35, line 19, strike "*either*" and insert "*the appropriate*".

On page 30, section 37, beginning on line 6, strike all of the material down to but not including the semicolon on line 7 and insert “[If the mother be a suitable person she shall be awarded the custody and control of said child] *Custody shall be granted to whichever parent is best able to serve the welfare and best interests of the child*”.

On page 45, section 56, line 4, after “of service” strike “men and service women” and insert “[men] *personnel*”.

On page 77, section 86, line 24, after “scale” strike “for [women and] minors” and insert “[for women and minors]”.

On page 83, section 94, beginning on line 10, after “*resides,*” strike all of the material down to and including “mother,” on line 11, and insert “[if such minor is a legitimate child, otherwise from the residence of the mother,]”.

On page 90, section 104, line 5, after “*the*” strike “*parent*” and insert “*parents*”.

On page 91, section 105, line 5, correct the typographical error “county” to read “court”.

On page 91, section 106, line 25, after “minor” and before “or” insert “*children, natural*”.

On page 91, section 106, line 26, strike “are” and insert “[are] *is*”.

On page 92, section 106, line 4, after “petition on” strike “her behalf” and insert “[her] behalf of *such parent*”.

On page 94, section 109, line 27, after “*surviving spouse*” and before “,” insert “*prior to remarriage*”.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendments were adopted.

Senator Lewis (Harry) made the following inquiry regarding the committee amendment to page 30, section 37:

#### POINT OF INQUIRY

Senator Lewis (Harry): “Will Senator Francis yield? Senator Francis, in the event neither parent were considered acceptable by the court, would this particular amendment preclude the court from delivering the child unto some other relative who was best capable?”

Senator Francis: “Senator Lewis, this amendment does not change existing law on that point. I think that that is debatable. We have another bill we have been working on which will reduce the debatability of what you are talking about.”

Senator Francis moved adoption of the following amendment:

On page 80, following section 91 add new sections as follows:

“Sec. 92. Section 51.08.020, chapter 23, Laws of 1961 and RCW 51.08.020 are each amended to read as follows:

“Beneficiary” means a husband, wife, child, or dependent of a workman in whom shall vest a right to receive payment under this title: PROVIDED, That a husband or wife of an injured workman, living *separate and apart* in a state of abandonment, *regardless of the party responsible therefor*, for more than one year at the time of the injury or subsequently, shall not be a beneficiary. A [wife] *spouse* who has lived separate and apart from [her husband] *the other spouse* for the period of two years and who has not, during that time, received, or attempted by process of law to collect, funds for [her] maintenance, shall be deemed living in a state of abandonment.

Sec. 93. Section 51.12.080, chapter 23, Laws of 1961 as amended by section 9, chapter 43, Laws of 1972 1st ex. sess. and RCW 51.12.080 are each amended to read as follows:

Inasmuch as it has proved impossible in the case of employees of common carriers by railroad, engaged in maintenance and operation of railways doing interstate, foreign and intrastate commerce, and in maintenance and construction of their equipment, to separate and distinguish the connection of such employees with interstate or foreign commerce from their connection with intrastate commerce, and such employees have, in fact, received no



compensation under this title, the provisions of this title shall not apply to work performed by such employees in the maintenance and operation of such railroads or performed in the maintenance or construction of their equipment, or to the employees of such common carriers by railroad engaged therein, but nothing herein shall be construed as excluding from the operation of this title railroad construction work, or the employees engaged thereon: PROVIDED, That common carriers by railroad engaged in such interstate or foreign commerce and in intrastate commerce shall, in all cases where liability does not exist under the laws of the United States, be liable in damages to any person suffering injury while employed by such carrier, or in case of the death of such employee, to [his] *the* surviving [wife] *spouse* and child, or children, and if no surviving [wife] *spouse* or child or children, then to the parents, *minor* sisters, or minor brothers, residents of the United States at the time of such death, and who were dependent upon such deceased for support, to the same extent and subject to the same limitations as the liability now existing, or hereafter created, by the laws of the United States governing recoveries by railroad employees injured while engaged in interstate commerce: PROVIDED FURTHER, That if any interstate common carrier by railroad shall also be engaged in one or more intrastate enterprises or industries (including street railways and power plants) other than its railroad, the foregoing provisions of this section shall not exclude from the operation of the other sections of this title or bring under the foregoing proviso of this section any work of such other enterprise or industry, the payroll of which may be clearly separable and distinguishable from the payroll of the maintenance or operation of such railroad, or of the maintenance or construction of its equipment: PROVIDED FURTHER, That nothing in this section shall be construed as relieving an independent contractor engaged through or by his employees in performing work for a common carrier by railroad, from the duty of complying with the terms of this title, nor as depriving any employee of such independent contractor of the benefits of this title.

Sec. 94. Section 51.24.010, chapter 23, Laws of 1961 as last amended by section 37, chapter 289, Laws of 1971 1st ex. sess. and RCW 51.24.010 are each amended to read as follows:

If the injury to a workman is due to negligence or wrong of another not in the same employ, the injured workman or, if death results from the injury, [his widow] *the surviving spouse*, children, or dependents, as the case may be, shall elect whether to take under this title or seek a remedy against such other, such election to be in advance of any suit under this section and, if he takes under this title, the cause of action against such other shall be assigned to the department or self-insurer; if the other choice is made, the department or self-insurer shall contribute only the deficiency, if any, between the amount of recovery against such third person actually collected and the compensation provided or estimated by this title for such case: PROVIDED, That the injured workman or if death results from [his] *the* injury, [his widow] *the surviving spouse*, children or dependents as the case may be, electing to seek a remedy against such other person, shall receive benefits payable under this title as if such election had not been made, and the department or self-insurer to the extent of such payments having been made by the department or self-insurer to the injured workman or if death results from [his] *the* injury, [his widow] *the surviving spouse*, children or dependents as the case may be shall be subrogated to the rights of such person or persons against the recovery had from such third party and shall have a lien thereupon. Any such cause of action assigned to the department or self-insurer may be prosecuted or compromised by the department or self-insurer in its discretion in the name of the workman, beneficiaries, or legal representative. Any compromise by the workman of any such suit, which would leave a deficiency to be made good by the department or self-insurer may be made only with the written approval of the department or self-insurer. If such approval is not obtained, claim for the deficiency will be deemed to have been waived.

Any third party action brought under this title by such workman or beneficiary must be duly prosecuted; if the action is not filed or settled within one year of the notice of election, the cause of action shall be deemed assigned to the department or self-insurer if after thirty days notice the action is neither filed nor settled. If a cause of action which has been filed is not diligently prosecuted, the department or self-insurer shall have the right to petition the court in which the action is pending for an order assigning the cause of action

to the department or self-insurer. Upon sufficient showing in the court's discretion of a lack of diligent prosecution, such an order shall issue.

In any action brought under this section wherein recovery is made by compromise and settlement or otherwise, the department or self-insurer, to the extent of the benefits paid or payable under this title, shall bear its proportionate share of attorney's fees and costs incurred by the injured workman or [his widow] *surviving spouse*, children, or dependents, as the case may be, and the court shall approve the amount of attorney's fees.

Sec. 95. Section 51.24.020, chapter 23, Laws of 1961 and RCW 51.24.020 are each amended to read as follows:

If injury or death results to a workman from the deliberate intention of his employer to produce such injury or death, the workman, [the widow, widower] *surviving spouse*, child, or dependent of the workman shall have the privilege to take under this title and also have cause of action against the employer as if this title had not been enacted, for any excess of damages over the amount received or receivable under this title.

Sec. 96. Section 51.32.040, chapter 23, Laws of 1961 as last amended by section 18, chapter 43, Laws of 1972 1st ex. sess. and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title shall, except as provided for in RCW 74.20A.090 and 74.20A.100, prior to the issuance and delivery of the check or warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: PROVIDED, That if any workman suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman suffers any other injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to [his widow, if he leaves a widow, or to his child or children and does not leave a widow] *there is no surviving spouse*: PROVIDED FURTHER, That, if any workman suffers an injury and dies therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to [his widow, if he leaves a widow] *the surviving spouse*, or to [his] *the child or children* if [he leaves a child or children and does not leave a widow] *there is no surviving spouse*: PROVIDED, FURTHER, That any application for compensation under the foregoing provisos of this section shall be filed with the department or self-insuring employer within one year of the date of death: PROVIDED FURTHER, That if the injured workman resided in the United States as long as three years prior to the date of injury, such payment shall not be made to any [widow] *surviving spouse* or child who was at the time of the injury a nonresident of the United States: PROVIDED FURTHER, That any workman receiving benefits under this title who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence shall have all payments of such compensation canceled during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such workman would, but for the provisions of this proviso, otherwise be entitled thereto: PROVIDED FURTHER, That if such incarcerated workman has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him for himself and his beneficiaries had he not been so confined. Any lump sum benefits to which the workman would otherwise be entitled but for the provisions of this proviso shall be paid on a monthly basis to his beneficiaries.

Sec. 97. Section 51.32.050, chapter 23, Laws of 1961 as last amended by section 19, chapter 43, Laws of 1972 1st ex. sess. and RCW 51.32.050 are each amended to read as follows:

(1) Where death results from the injury the expenses of burial not to exceed eight hundred dollars shall be paid. (2) A [widow or invalid widower] *surviving spouse* of a deceased workman shall receive monthly throughout his or her life the following sums: (a) If there are no children of the deceased workman, sixty percent of the wages of the

deceased workman but not less than one hundred eighty-five dollars. (b) If there is one child of the deceased workman, sixty-two percent of the wages of the deceased workman but not less than two hundred twenty-two dollars. (c) If there are two children of the deceased workman, sixty-four percent of the wages of the deceased workman but not less than two hundred fifty-three dollars. (d) If there are three children of the deceased workman, sixty-six percent of the wages of the deceased workman but not less than two hundred seventy-six dollars. (e) If there are four children of the deceased workman, sixty-eight percent of the wages of the deceased workman but not less than two hundred ninety-nine dollars. (f) If there are five or more children of the deceased workman, seventy percent of the wages of the deceased workman but not less than three hundred twenty-two dollars.

Payments to the surviving spouse of the deceased workman shall cease at the end of the month in which remarriage occurs: PROVIDED, That the portion of the monthly payment made for the benefit of the children shall not be affected by such remarriage. In no event shall the monthly payments provided in this subsection exceed seventy-five percent of the average monthly wage in the state as computed under RCW 51.08.018.

In addition to the monthly payments above provided for, a surviving [widow, or invalid widower] *spouse*, or dependent parent or parents, if there is no surviving [widow or invalid widower] *spouse* of any such deceased workman shall be forthwith paid the sum of eight hundred dollars.

Upon remarriage [of a widow she] *the surviving spouse* shall receive, once and for all, a lump sum of seventy-five hundred dollars or fifty percent of the then remaining annuity value of [her] *the pension*, whichever is the lesser, and the monthly payments to such [widow] *surviving spouse* shall cease at the end of the month in which remarriage occurs, but the monthly payments for the child or children shall continue as before. (3) If there is a child or children and no [widow or widower] *surviving spouse* of the deceased workman, a sum equal to thirty-five percent of the average monthly wage of the deceased workman shall be paid monthly for one child and a sum equivalent to fifteen percent of such wage shall be paid monthly for each additional child, the total of such sum to be divided among such children, share and share alike: PROVIDED, That benefits under this subsection or subsection (4) shall not exceed sixty-five percent of the monthly wages of the deceased workman at the time of his death or seventy-five percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums. (4) In the event a surviving spouse receiving monthly payments dies, leaving a child or children, each shall receive the same payment as provided in subsection (3) of this section. (5) If the workman leaves no [widow, widower] *surviving spouse* or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty percent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed sixty-five percent of the monthly wages of the deceased workman at the time of [his] *the death* or seventy-five percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years except such payments shall continue until the dependent reaches age twenty-one while permanently enrolled at a full time course in an accredited school. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened. (6) If the injured workman dies during the period of permanent total disability, whatever the cause of death, leaving a [widow, invalid widower] *surviving spouse*, or child, or children, the surviving [widow or invalid widower] *spouse* shall receive benefits as if death resulted from the injury as provided in subsections (2) through (5) of this section. Upon remarriage the payments on account of the child or children shall continue as before to such child or children.

"Sec. 98. Section 51.32.070, chapter 23, Laws of 1961, as last amended by section 9, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.070 are each amended to read as follows:

Notwithstanding any other provisions of law, every [widow or invalid widower]

*surviving spouse* receiving a pension under this title shall, after July 1, 1971, be paid one hundred eighty-five dollars per month, and every permanently totally disabled workman or temporarily totally disabled workman receiving a pension or compensation for temporary total disability under this title shall, after such date, be paid one hundred eighty-five dollars per month, and one hundred fifteen dollars per month additional in cases requiring the services of an attendant, if unmarried at the time [his] *the injury* occurred; two hundred fifteen dollars per month, and one hundred fifteen dollars per month additional in cases requiring the services of an attendant, if [he or she] *the totally disabled workman* has an [wife or] invalid [husband] *spouse*; and one hundred seventy-five dollars per month, in addition to any amount now or hereafter allowed in cases requiring the services of an attendant, if [the husband is not] *neither spouse is* an invalid and the husband and wife are living together as such.

No part of such additional payments shall be payable from the accident fund [or be charged against any class under the industrial insurance law].

The director shall pay monthly to every such [widow, invalid widower] *surviving spouse*, and totally disabled workman from the supplemental pension fund such an amount as will, when added to the pensions or temporary total disability compensation they are presently receiving, exclusive of amounts received for children or dependents or attendants, equal the amounts hereinabove specified.

In cases where money has been or shall be advanced to any such person from the pension reserve, the additional amount to be paid to him or her under this section shall be reduced by the amount of monthly pension which was or is predicated upon such advanced portion of the pension reserve.

Sec. 99. Section 51.32.135, chapter 23, Laws of 1961 and RCW 51.32.135 are each amended to read as follows:

In pension cases when a workman or beneficiary closes his claim by full conversion to a lump sum or in any other manner as provided in RCW 51.32.130 and 51.32.150, such action shall be conclusive and effective to bar any subsequent application or claim relative thereto by the workman or any beneficiary which would otherwise exist had such person not elected to close the claim: PROVIDED, The director may require the [wife] *spouse* of such workman to consent in writing as a prerequisite to conversion and/or the closing of such claim."

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Ridder: "I would like to know the delineation of the term 'workman'. This seems to be a male designation. I wonder if in law it has both female and male genders designation."

Senator Francis: "Senator Ridder, by statutory interpretation we have always included the man as a generic term including both sexes and the same with workman. The term 'workman' can apply to a male or female workman, if you will. I could go into the history of the word, but I think it suffices to say that as a matter of statutory interpretation that is the way we have always worked and will continue to work."

The motion by Senator Francis carried and the amendment was adopted.

On motion of Senator Francis, the following amendment was adopted:

On page 100, after section 114, insert the following sections:

"Sec. 115. Section 33, page 80, Laws of 1854 as last amended by section 183, chapter 249, Laws of 1909 and RCW 9.79.010 are each amended to read as follows:

Rape is an act of sexual intercourse with a [female] *person* not the wife or husband of the perpetrator committed against [her] *the person's* will and without [her] *the person's* consent. Every [person who shall perpetrate] *perpetrator of* such an act of sexual intercourse with a [female] *person* of the age of ten years or upwards not his wife or husband:

(1) When, through idiocy, imbecility or any unsoundness of mind, either temporary or permanent, [she] *the person* is incapable of giving consent; or

(2) When [her] *the person's* resistance is forcibly overcome; or

(3) When [her] *the person's* resistance is prevented by fear of immediate and great bodily harm which [she] *the person* has reasonable cause to believe will be inflicted upon her or him; or

(4) When [her] *the person's* resistance is prevented by stupor or weakness of mind produced by an intoxicating narcotic or anaesthetic agent administered by or with the privity of the defendant; or

(5) When [she] *the person* is at the time unconscious of the nature of the act, and this is known to the defendant;

Shall be punished by imprisonment in the state penitentiary for not less than five years.

Sec. 116. Section 33, page 80, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1943 and RCW 9.79.020 are each amended to read as follows:

Every male person who shall carnally know and abuse any female child under the age of eighteen years, not his wife, and every female person who shall [have sexual intercourse with] *carnally know and abuse* any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such an act is committed upon a child under the age of ten years, by imprisonment in the state penitentiary for life;

(2) When such an act is committed upon a child of ten years and under fifteen years of age, by imprisonment in the state penitentiary for not more than twenty years;

(3) When such act is committed upon a child of fifteen years of age and under eighteen years of age, by imprisonment in the state penitentiary for not more than fifteen years.

Sec. 117. Section 37, page 187, Laws of 1873 as amended by section 185, chapter 249, Laws of 1909 and RCW 9.79.030 are each amended to read as follows:

Any sexual penetration, however slight, is sufficient to complete sexual intercourse or carnal knowledge. *The word prostitution as used in this chapter and title means any sexual conduct engaged in for a fee or agreed or offered to be engaged in for a fee between persons not married to each other. Sexual conduct means either or both sexual intercourse or any conduct involving the sex organs of one person and the mouth or anus of another.*

Sec. 118. Section 813, Code of 1881 as amended by section 186, chapter 249, Laws of 1909 and RCW 9.79.040 are each amended to read as follows:

Every person who, by force, menace, or duress, shall compel [a woman] *another person* against *his* or her will to marry him or her or to marry any other person, or to be defiled, shall be punished by imprisonment in the state penitentiary for not more than twenty years, or by a fine of not more than one thousand dollars, or by both.

Sec. 119. Section 815, Code of 1881 as amended by section 187, chapter 249, Laws of 1909 and RCW 9.79.050 are each amended to read as follows:

Every person who—

(1) Shall take [a female] *another person who is* under the age of eighteen years for the purpose of prostitution or sexual intercourse, or without the consent of *his* or her father, mother, guardian or other person having legal charge of [her] *such other person*, for the purpose of marriage; or

(2) Shall inveigle or entice an unmarried [female] *person* of previously chaste character into a house of ill fame or assignation, or elsewhere, for the purpose of prostitution; or

(3) Shall take or detain a [woman] *another person* unlawfully against [her] *such person's* will, with intent to compel [her] *such person* by force, menace or duress, to marry him or her or another person, or to be defiled; or

(4) Being the parent, guardian or other person having legal charge of [the] a person [of a female] under the age of eighteen years, shall consent to [her] *the* taking or detention of *such person* by any *other person* for the purpose of prostitution or sexual intercourse or for any obscene, indecent or immoral purpose;

Shall be guilty of abduction and punished by imprisonment in the state penitentiary for not more than ten years or by a fine of not more than one thousand dollars, or by both.

Sec. 120. Section 188, chapter 249, Laws of 1909 as amended by section 1, chapter 186, Laws of 1927 and RCW 9.79.060 are each amended to read as follows:

Every person who—

(1) Shall place a female *or male* in the charge or custody of another person for immoral purposes, or in a house of prostitution, with intent that *he or she* shall live a life of prostitution, or who shall compel any female *or male* to reside with him *or her* or with any other person for immoral purposes, or for the purpose of prostitution, or shall compel any [such] female *or male* to reside in a house of prostitution or to live a life of prostitution; or

(2) Shall ask or receive any compensation, gratuity or reward, or promise thereof, for or on account of placing in a house of prostitution or elsewhere any female for the purpose of causing her to cohabit with any male person or persons not her husband, *or any male for the purpose of causing him to cohabit with any female person or persons not his wife*; or

(3) Shall give, offer, or promise any compensation, gratuity or reward, to procure any [female] *person* for the purpose of placing [her] *such person* for immoral purposes in any house of prostitution, or elsewhere; or

(4) Being the [husband] *spouse* of any [woman] *person*, or the parent, guardian or other person having legal charge of [the] *such person* [of a female] shall connive at, consent to or permit [her] *such person* being or remaining in any house of prostitution or leading a life of prostitution; or

(5) Shall live with or accept any earnings of a common prostitute, or entice or solicit any person to go to a house of prostitution for any immoral purpose;

Shall be punished by imprisonment in the state penitentiary for not less than one year nor more than five years.

Sec. 121. Section 816, Code of 1881 as last amended by section 189, chapter 249, Laws of 1909 and RCW 9.79.070 are each amended to read as follows:

Every person who shall seduce and have sexual intercourse with any [female] *person* of previously chaste character, shall be punished by imprisonment in the state penitentiary for not more than five years or by imprisonment in the county jail for not more than one year or by a fine of not more than one thousand dollars, or by both fine and imprisonment: PROVIDED, That if at any time before judgment upon an information or indictment, a defendant shall marry such [female] *person*, the court shall order all further proceedings stayed [; and if at any time within three years from the date of such marriage the defendant shall wrongfully fail to support or provide for or shall wrongfully desert or abandon such wife, said proceeding shall be revived and continued in the same manner as though no marriage had taken place, and in the trial of such cause the wife shall be competent to testify and may testify against her husband].

Sec. 122. Section 190, chapter 249, Laws of 1909 as last amended by section 1, chapter 127, Laws of 1955 and RCW 9.79.080 are each amended to read as follows:

(1) Every person who takes any indecent liberties with, or on the person of any [female] *other person* of chaste character, without [her] *the other person's* consent, shall be guilty of a gross misdemeanor;

(2) Every person who takes any indecent liberties with or on the person of any child under the age of fifteen years, or makes any indecent or obscene exposure of his person, or of the person of another, whether with or without his or her consent, shall be guilty of a felony, and shall be punished by imprisonment in the state penitentiary for not more than twenty years, or by imprisonment in the county jail for not more than one year."

Renumber the remaining sections consecutively.

On motion of Senator Francis, the following amendments to the title were adopted:

On page 2, line 5 of the title, after the semicolon and before "amending" insert "amending section 33, page 80, Laws of 1854 as last amended by section 183, chapter 249, Laws of 1909 and RCW 9.79.010; amending section 33, page 80, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1943 and RCW 9.79.020; amending section 37, page 187, Laws of 1873 as amended by section 185, chapter 249, Laws of 1909 and RCW 9.79.030; amending section 813, Code of 1881 as amended by section 186, chapter 249, Laws of 1909 and RCW 9.79.040; amending section 815, Code of 1881 as amended by section 187, chapter 249, Laws of 1909 and RCW 9.79.050; amending section 188, chapter 249, Laws of 1909 as amended by section 1, chapter 186, Laws of 1927 and RCW 9.79.060;"

On page 5, line 20 of the title, after "RCW 50.20.030;" insert: "amending section

51.08.020, chapter 23, Laws of 1961 and RCW 51.08.020; amending section 51.12.080, chapter 23, Laws of 1961 as amended by section 9, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.080; amending section 37, chapter 289, Laws of 1971 ex. sess. and RCW 51.24.010; amending section 51.24.020, chapter 23, Laws of 1961 and RCW 51.24.020; amending section 51.32.040, chapter 23, Laws of 1961 as last amended by section 18, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.040; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 19, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.050; amending section 51.32.070, chapter 289, Laws of 1961, as last amended by section 9, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.070; amending section 51.32.135, chapter 23, Laws of 1961 and RCW 51.32.135;"

On page 6, line 29 of the title, strike "and".

On page 6, line 30, after "RCW 49.28.070;" and before the period insert "and defining crimes and prescribing penalties".

#### POINT OF INQUIRY

Senator Talley: "Would Senator Francis yield to a question? Senator Francis, are you attempting to change the criminal code because you do not think it is going to pass this session by amending it to this bill?"

Senator Francis: "Senator, I was going to get into that when we got to the code, but that is correct. I have yielded to the wishes of the prosecutors in that matter and we are going to look at it a little bit longer and I think that we need to take action on this immediately. I can get into some of the reasons for that but it is apparent that it would have a great deal of difficulty on the floor, and for that reason I feel that we have to move on these particular ones where we otherwise might be left in limbo now so that we will be able to look at the rest of it."

On motion of Senator Francis, Engrossed Senate Bill No. 2502 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Francis yield to a question? Senator Francis, did you get a fiscal note on your amendment? Will a man who now is the surviving spouse in an industrial accident be entitled to a pension or if he remarries he can get seventy-five hundred dollars cash settlement in the event his wife would be killed in an industrial accident?"

Senator Francis: "That is in those cases where the wife was covered by industrial insurance because she had that type of employment. No, I did not get a fiscal note, Senator. The changes we have made here are compelled by the change to our state Constitution and thus it was the feeling of the majority of the committee that we had to make the changes in any event and that a fiscal note would not change what we did on it."

#### POINT OF INQUIRY

Senator Francis: "Would Senator Metcalf yield? Senator Metcalf, I appreciate your remarks and part of which I may debate if we ever get to the floor on the other matter, but you said it raises the specter of federal control. You are not talking about this bill but about the federal ERA?"

Senator Metcalf: "No way do I refer to this bill. This is a good bill and should be passed. I say section 2 of the other measure raises that specter which I am sure will be debated at length. I did not mean to leave that impression and I urge you to support this bill. It is good legislation."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Francis yield? Senator, I am looking in the repealing sections and it repeals RCW 26.16.170 which states, 'Contracts may be made by a wife and liabilities incurred and the same may be enforced by or against her to the same extent and in

the same manner as if she were unmarried.' Now, is it the legislative intent of this to do away with the situation where a married woman contracts an obligation, she may have some separate property that a creditor may go after, is it the intent of this legislature to do away with the ability of her to contract and incur her separate liabilities?"

Senator Francis: "No, it is not the intent, Senator Woody."

Senator Woody: "In addition, there is a repealer of RCW 49.28.070 which you are familiar with. It provides basically that no female shall be employed in any mechanical or mercantile establishment, laundry, hotel or restaurant, for more than eight hours during any day, and then continues on with a rather lengthy section. Is it the intent by this legislation that people can require females to work longer than eight hours a day and that there cannot be any retribution, either through the Department of Labor and Industries or anything else for that lengthy work?"

Senator Francis: "Senator Woody, it is the intention of this bill to provide that both sexes will be equal before the law in that respect. Any right to not work over a certain number of hours would apply equally to both sexes and would not apply strictly to one sex."

#### POINT OF INQUIRY

Senator Grant: "Would Senator Francis yield to an additional question? I am not satisfied with the response. You say that the restrictions on working hours would be applied equally. Are you acquainted with any restrictions relative to working hours that apply to men in the state of Washington solely?"

Senator Francis: "No, I am not, Senator Grant."

Senator Grant: "Then, Senator Francis, there would be no eight hour work rule, should this be passed, for men or women?"

Senator Francis: "Senator Grant, if you are asking me, I will tell you that I do not know. When I said that I am not acquainted with any, that does not mean there aren't any. I do not know. There are certainly a lot of union contracts and so forth that set a number of hours per week and per day. All we are doing here is repealing a law that applies only to women and which some women regard as a benefit and others regard as a handicap in that they seem to have a separate kind of protection in the number of hours they work from that of men. All we are doing here is repealing the law which applies only to women and restricts them, so that any restrictions which we do pass on the number of hours you can work, and as one Senator commented to me just now, we sure ought to apply that eight hour thing to legislators, but whatever we do in that area would apply equally to the sexes."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2502, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Dore—1.

Excused: Senator Bottiger—1.

ENGROSSED SENATE BILL NO. 2502, having received the 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 PRESIDENT

The President signed:  
 SENATE BILL NO. 2054,  
 SENATE BILL NO. 2176.

## SPECIAL ORDER OF BUSINESS

SENATE CONCURRENT RESOLUTION NO. 125, by Senators Bailey and Mardesich:  
 Providing for changes in the Joint Rules of the Senate and House of Representatives.

The time having arrived, the Senate resumed consideration of Senate Concurrent Resolution No. 125 on second reading, an amendment by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke, as amended, having been adopted on Monday, March 19, 1973.

## MOTIONS

On motion of Senator Mardesich, the names of Senators Bailey and Mardesich were stricken as sponsors of Senate Concurrent Resolution No. 125 as amended.

On motion of Senator Greive, the sponsors of Senate Concurrent Resolution No. 125, as amended, are Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke.

On motion of Senator Greive, Engrossed Senate Concurrent Resolution No. 125 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 125, and the resolution passed the Senate by the following vote: Yeas. 25; nays, 23; absent or not voting, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Connor, Dore, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Wanamaker, Whetzell, Woodall—25.

Voting nay: Senators Bailey, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Talley, Walgren, Washington, Woody—23.

Excused: Senator Bottiger—1.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, having received the constitutional majority, was declared passed.

## APPOINTMENT TO SENATE COMMITTEE ON RULES

The President announced the appointment of Senator Ted Peterson as a member of the Senate Committee on Rules replacing Senator John Stender who resigned from the Senate on March 19, 1973.

## MOTION

On motion of Senator Lewis (Harry), the appointment was confirmed.

## MOTION

At 3:55 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, March 21, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTEENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, March 21, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Otis Coleman and Cynthia Galligan, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ETERNAL GOD OUR FATHER, WE COME WITH OPEN MINDS TO THEE, READY TO RECEIVE AND TO WELCOME SUCH NEW INSIGHTS AS IT IS THY WILL TO REVEAL TO US. WE WOULD NOT LET OUR APPRECIATION OF THE PAST BE SO DEAR TO US AS TO SET A LIMIT TO THE FUTURE. WE WOULD BE QUICK TO DISCOVER IN THE WORLD WHICH THOU HAST MADE, THY ACTIVITY IN IT TODAY, AND WE READILY ACKNOWLEDGE WITH APPRECIATION OUR HIGH PRIVILEGE OF BEING CO-WORKERS WITH THEE AND WITH ONE ANOTHER. THROUGH CHRIST OUR LORD. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

March 21, 1973.

SENATE BILL NO. 2028, making overtime hours optional (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2186, creating a new state examining and disciplinary board for naturopathic practitioners (reported by Committee on Social and Health Services):

MAJORITY recommendation: That Substitute Senate Bill No. 2186 be substituted therefor and the substitute bill do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Herr, Murray.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2203, placing classified employees of school districts under unemployment compensation coverage (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2250, implementing laws relating to size, weight, and load of motor vehicles (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2250 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Peterson (Lowell), Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2289, gives option to principals and assistant principals of joining together for separate employer-employee negotiations (reported by Committee on Education):

Recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2322, creating new common school certificated employees professional negotiations act (reported by Committee on Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2322 be substituted therefor and the substitute bill do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Odegaard, Peterson (Ted).

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2454, making certain changes in the regulations of employment agencies (reported by Committee on Labor):

MAJORITY recommendation: That Substitute Senate Bill No. 2454 be substituted therefor and the substitute bill do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2484, implementing the laws relating to self-insurers (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2607, authorizing the director of labor and industries to administer the laws relating to railroad workers (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2716, establishing a collective bargaining unit comprised of exempt employees who are liquor vendors (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 14, 1973.

SENATE BILL NO. 2741, relating to the regulation of vehicle dealers, manufacturers and salesmen (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2741 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE JOINT MEMORIAL NO. 109, memorializing Congress to lower minimum social security age for full benefits from sixty-five to sixty-two (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 20, 1973.

ENGROSSED HOUSE BILL NO. 415, implementing the law to vocational education (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Newschwander.

Passed to Committee on Rules for second reading.

March 21, 1973.

HOUSE BILL NO. 418, providing additional regulations for bank and trust company investments (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Mardesich, Newschwander.

Passed to Committee on Rules for second reading.

March 20, 1973.

SUBSTITUTE HOUSE BILL NO. 429, creating the Uniform State Mapping Fund (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Talley.

Passed to Committee on Rules for second reading.

March 20, 1973.

ENGROSSED HOUSE BILL NO. 576, authorizing free fishing licenses for certain blind persons (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Talley.

Passed to Committee on Rules for second reading.

March 20, 1973.

HOUSE JOINT MEMORIAL NO. 14, providing funding for the wildlife refuge on the Nisqually Delta (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Talley.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 20, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2008: Providing that a parent may obtain the address of his children under the care of the department of social and health services.

SENATE BILL NO. 2072: Authorizing city treasurer to prepare warrants for beneficiaries of service retirement pensions.

SENATE BILL NO. 2093: Establishing procedures for the disposition of certain monneys not otherwise provided for by law.

SENATE BILL NO. 2187: Prohibiting the use of lie detector tests as a condition of employment or continued employment.

SENATE BILL NO. 2258: Changing the date for filing of annual reports by miscellaneous and mutual corporations to March first of each year.

SENATE BILL NO. 2327: Increasing certain workmen's compensation benefits.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

MESSAGES FROM THE HOUSE

March 20, 1973.

Mr. President: The House has passed HOUSE BILL NO. 588, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 20, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2069, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 20, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 112,

ENGROSSED HOUSE BILL NO. 300,

SUBSTITUTE HOUSE BILL NO. 391,

HOUSE BILL NO. 746,

ENGROSSED HOUSE BILL NO. 915,

HOUSE BILL NO. 1011, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MESSAGE FROM THE HOUSE

March 20, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2071, with the following amendments:

On line 1, of the title, after "amending" insert "section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1971 ex. sess.; amending".

On page 1, immediately following the enacting clause, insert a new section as follows: "Section 1. Section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.010 are each amended to read as follows: The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, two; Chelan, one; Clallam, one; Clark, four; Columbia, one; Cowlitz, two; Douglas, one; Ferry, two; Franklin, one; Garfield, one; Grant, one; Grays Harbor, two; Island, three; Jefferson, one; King, twenty; Kitsap, two; Kittitas, two; Klickitat, two; Lewis, one; Lincoln, two; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, one; Snohomish, eight; Spokane, eight; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, two; Yakima, six: *PROVIDED, That this number may be increased in accordance with a resolution of the county commissioners under RCW 3.34.020.*"

Renumber the remaining sections consecutively.

On page 2, section 1, line 1 after "county:" strike all the material down to and including "RCW 3.34.030:" on line 6.

On page 2, section 1, line 11 after "commissioners" strike ", subject to the limitations of RCW 3.34.010," and insert "[, subject to the limitations of RCW 3.34.010,]".

On page 2, section 1, line 13, after "hereinbefore" strike the remainder of the section and insert "[to serve in districts having a population of two hundred thousand or more]."

On page 2, section 2, line 27, at the beginning of the line, strike "In" and insert "After the next respective judicial elections following the effective date of this act, in", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 2071, and asks the House to recede therefrom.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2895, by Senator Twigg:

An Act relating to revenue and taxation; and amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2896, by Senators Woodall and Donohue:

An Act relating to revenue and taxation; amending section 28A.45.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 65, Laws of 1970 ex. sess. and RCW 28A.45.010; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2897, by Senator Clarke:

An Act relating to small loan companies; amending section 2, chapter 208, Laws of 1941 as amended by section 1, chapter 212, Laws of 1959 and RCW 31.08.020; amending section 3, chapter 208, Laws of 1941 as amended by section 2, chapter 212, Laws of 1959 and RCW 31.08.030; amending section 4, chapter 208, Laws of 1941 and RCW 31.08.050; amending section 6, chapter 208, Laws of 1941 and RCW 31.08.070; amending section 7, chapter 208, Laws of 1941 and RCW 31.08.080; amending section 8, chapter 208, Laws of 1941 and RCW 31.08.090; amending section 12, chapter 208, Laws of 1941 as amended by section 4, chapter 212, Laws of 1959 and RCW 31.08.150; amending section 13, chapter 208, Laws of 1941 as last amended by section 5, chapter 212, Laws of 1959 and RCW 31.08.160; amending section 10, chapter 212, Laws of 1959 and RCW 31.08.173; amending section 15, chapter 208, Laws of 1941 as amended by section 7, chapter 212, Laws of 1959

and RCW 31.08.180; amending section 16, chapter 208, Laws of 1941 as amended by section 8, chapter 212, Laws of 1959 and RCW 31.08.190; and amending section 17, chapter 208, Laws of 1941 as last amended by section 1, chapter 180, Laws of 1967 and RCW 31.08.200.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2898, by Senators Fleming, Murray and Talley (by Executive request):

An Act relating to city and county jails; amending section 35.21.330, chapter 7, Laws of 1965 and RCW 35.21.330; amending section 35.23.440, chapter 7, Laws of 1965 as amended by section 7, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.440; amending section 35.24.160, chapter 7, Laws of 1965 and RCW 35.24.160; adding a new chapter to Title 36 RCW; repealing sections 36.63.010 through 36.63.440, chapter 4, Laws of 1963, section 1, chapter 17, Laws of 1969 and RCW 36.63.010 through 36.63.250 and RCW 36.63.260 through 36.63.440; repealing section 2214, Code of 1881 and RCW 70.20.140; repealing section 32, chapter 171, Laws of 1961 and RCW 72.01.420; and prescribing an effective date.

Referred to Committee on Local Government.

SENATE BILL NO. 2899, by Senators Guess, Talley, Knoblauch and Jones:

An Act relating to revenue and taxation; and amending section 84.40.220, chapter 15, Laws of 1961 as amended by section 1, chapter 18, Laws of 1971 ex. sess. and RCW 84.40.220.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Guess, additional sponsors were permitted on Senate Bill No. 2899.

SENATE BILL NO. 2900, by Senators Guess, Scott, Donohue, Van Hollebeke, Wanamaker, Lewis (Bob), Metcalf and Twigg:

An Act relating to state institutions of higher learning; and adding a new section to Title 28B RCW.

Referred to Committee on Higher Education.

#### MOTION

On motion of Senator Guess, additional sponsors were permitted on Senate Bill No. 2900.

ENGROSSED HOUSE BILL NO. 112, by Representatives Van Dyk, Berentson and Goltz:

Providing for certain changes in the assessment levied upon milk.

Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 300, by Representatives Ceccarelli, Gaspard, Luders, Barden, Rabel, Eikenberry and Maxie:

Defining certain areas for investment and expanded services by mutual savings banks.

Referred to Committee on Financial Institutions.

SUBSTITUTE HOUSE BILL NO. 391, by Committee on Agriculture (originally sponsored by Representatives Amen, Kilbury, Thompson, Patterson, Haussler, Zimmerman, Van Dyk, Curtis, Tilly and Kalich):

Creating a state conservation commission and defining its functions.

HOUSE BILL NO. 588, by Representatives Wojahn, O'Brien, Bauer and Brown:

Requiring certain portable signs and lighting signals on common carriers hauling school personnel and students in cities of the first class.

Referred to Committee on Education.

HOUSE BILL NO. 746, by Representatives Conner, Anderson, Berentson and Kalich: Implementing the laws protecting forest lands.

Referred to Committee on Natural Resources.

ENGROSSED HOUSE BILL NO. 915, by Representative Barden:

Relating to banks, mutual savings banks, and savings and loan associations.

Referred to Committee on Financial Institutions.

HOUSE BILL NO. 1011, by Representatives Flanagan, Randall and Newhouse:

Providing for assessment of livestock upon monthly average stock basis.

Referred to Committee on Ways and Means.

#### APPOINTMENT OF SPECIAL COMMITTEES

The President appointed the following as escorts for the dignitaries at the Joint Session today: Senators Dore, Jones, Walgren, Donohue, Twigg, Day, Rasmussen, Odegaard, Canfield, Knoblauch, Sandison and Woodall.

#### MOTION

At 9:40 a.m., on motion of Senator Mardesich, the Senate recessed until 10:50 a.m.

#### SECOND MORNING SESSION

The President called the Senate to order at 10:50 a.m.

At 10:55 a.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of the presentation of Viet Nam bonus check to Lieutenant Commander Brunhaver, returned prisoner of war.

#### JOINT SESSION

The Sergeant at Arms of the Senate 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, John A. Cherberg, the President Pro Tempore of the Senate, Al Henry, and the Vice President Pro Tempore, James E. Keefe, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

The President of the Senate presided.

The President of the Senate called the Joint Session to order.

The Secretary of the Senate called the roll of the Senate, and all members were present.

The Clerk called the roll of the House, and all members were present except Representatives McCormick and Williams, who were excused.

The President of the Senate: "Esteemed and honored members of the Legislature, Mr. Speaker, Senator Keefe, Senator Henry: The purpose of this Joint Session is to present the Viet Nam Veteran's bonus check to Lieutenant Commander Richard Brunhaver, who to this body is symbolic of the more than half a hundred returnees of whom we are so proud."

The Sergeant at Arms of the Senate announced the arrival of State Treasurer Robert S. O'Brien at the bar of the House. The President of the Senate appointed the following committee to escort the State Treasurer to the rostrum: Senators Dore, Jones and Walgren, and Representatives Barden, Hansen and O'Brien. The committee escorted State Treasurer Robert S. O'Brien to the rostrum.



The Sergeant at Arms of the House announced the arrival of His Excellency, Governor Daniel J. Evans, at the bar of the House. The President appointed the following committee to escort the Governor to the rostrum: Senators Connor, Twigg and Day, and Representatives Swayze, Thompson and Perry. The Committee escorted Governor Daniel J. Evans to the rostrum.

The Sergeant at Arms of the House announced the arrival of Mr. Robert Bush at the bar of the House. The President appointed the following committee to escort Mr. Bush to the rostrum: Senators Rasmussen, Canfield and Odegaard, and Representatives Anderson, Charette and Brown. The committee escorted Mr. Robert Bush to the rostrum.

The Sergeant at Arms of the House announced the arrival of Commander Richard Brunhaver at the bar of the House. The President appointed the following committee to escort Commander Brunhaver to the rostrum: Senators Knoblauch, Matson, Sandison and Woodall, and Representatives Morrison, Newhouse, Ellis and Garrett. The committee escorted Commander Richard Brunhaver to the rostrum.

President Cherberg: "Commander Brunhaver, Governor Evans, Mr. Speaker, ladies and gentlemen of the Legislature, and ladies and gentlemen: The President indeed has a singular and precious honor this morning to introduce to you one of the most distinguished heroes of World War II. Mr. Robert Bush, who was a Hospital Apprentice First Class, serving as a medical corpsman, with a rifle company, 2nd Battalion, Fifth Marines, earned the Congressional Medal of Honor on May 2, 1945. Mr. Bush is president of the National Congressional Medal of Honor Society. He was born and raised in South Bend, Washington, and he is presently residing in Elma, Washington. I know that the people of that area of our state are especially proud, along with the other people of the state, of Mr. Bush. Mr. Bush has been active in governmental affairs and has traveled all over the world as a representative of the United States Government. He is presently president or vice president of more than ten separate corporations, with his main area of business being in Grays Harbor, Pacific and Thurston Counties. I know that you will all join with me in welcoming Mr. Bush."

Mr. Robert Bush: "Thank you, very much. Governor Evans, Mr. President, Mr. Speaker, Lieutenant Commander Brunhaver, it is a real pleasure for me to be here this afternoon and participate in this very memorable occasion. It is not every day that the United States Government and the citizens of the state of Washington have the opportunity to welcome home one of their national heroes. It would do us well to give a little thought to the tremendous cost that was involved in people, manpower, and money to bring to a successful conclusion the Viet Nam War. We are indeed indebted to Commander Brunhaver. It would also do us well to note that as long as this nation would like to be the 'Land of the Free', it has to maintain the position as the 'Home of the Brave'. Thank you, very much."

President Cherberg: "At this time the President should like to present His Excellency, the Governor of the State of Washington, the Honorable Daniel J. Evans. Governor Evans."

Governor Daniel J. Evans: "Commander Brunhaver, members of this legislature, and Washingtonians gathered here: I am proud as Governor, and I know I speak as Governor for the citizens of our state, proud as a Washingtonian, and uniquely proud as a former Navy man, to welcome back one who has served as have many, many others during the course of the longest, perhaps most difficult, unquestionably the least understood, war this nation has been engaged in, in its almost two-hundred-year history. Some chose not to serve. Most, almost all, did. Many didn't thoroughly understand all of the reasons that got us into the conflict, but they served nonetheless as have many generations of fighting men before them during our history. Some were called on to give much more than many of the rest of us have ever been called on to give, to sacrifice that thing more important than anything else, and that is a good share of a person's life. Commander Brunhaver has spent almost a quarter of his entire life behind prison walls, as a prisoner of war. We welcome you back, recognizing that you have already given more than most of us will ever be called on to give. We hope in return that we, as representatives of government, all of us as citizens of this state, can pay back in some small respect, by carrying out our responsibilities, to make this a better state, a better community, and a better nation—to make the unique and overwhelming sacrifice you have given really worthwhile. I am sure you believe it is. It is up to us to help assure that. We do welcome you back. It is great to have you home, and particularly great to have this war behind us, and the opportunity to embark on what I am sure we all hope will be a generation of peace in this nation and across the world."

President Cherberg: "At this time, State Treasurer Robert O'Brien will present a symbol of the admiration and affection the people of our state hold for Commander Brunhaver."

State Treasurer O'Brien: "Mr. Speaker, Mr. President, ladies and gentlemen assembled: I have had many honors bestowed upon me as Treasurer of this state. I don't think I have had a higher one than I have today—the privilege of granting to Richard Brunhaver this token of the esteem of the people of the state. Certainly dollars will not pay back those seven and one-half years in a prison camp, but they are some indication, Commander, of our feeling toward you."

Commander Brunhaver: "This check which Mr. O'Brien has just presented to me, as he said, is a note of appreciation to me for having served my country in North Viet Nam. It is really I who must thank you—offer my appreciation to you—for the support, the wonderful thoughts and feelings that have been expressed to me since my return to the United States. And the knowledge that I had, while I was in Viet Nam, of this wonderful country, and the wonderful people in this country, that made it possible for me to survive and again to return to the land I love so much. Thank you."

President Cherberg: "Commander Brunhaver, your strength and courage and that of your colleagues, and especially Captain Lawrence Writer who is so close to the hearts of so many people in the legislature, and the others who endured so much for the citizens of this state of Washington and the world, have earned you our gratitude and respect. We welcome you home, and wish you God Speed and God Bless."

#### PERSONAL PRIVILEGE

Representative Brown: "Mr. President, I rise to a point of personal privilege. As a naval aviator for twenty years, one now long retired, I would merely like to extend to Commander Brunhaver for his courage in combat, for his perseverance in adversity, a personal and a heartfelt 'well done'."

President Cherberg: "Thank you, Representative Brown. The President has learned that Representative Savage is a very close friend of Mr. Bush. For that reason, I should like to respectfully call on Representative Savage."

Representative Savage: "Mr. President, I became a friend of Mr. Bush when he was issued the Congressional Medal of Honor upon his return from the war, and he and his bride were my guests in Washington, D.C., during the time when he was being honored by the Congressional group. I think it is appropriate that he is here today to help see that another veteran gets the kind of honor that he has earned."

The President of the Senate directed the special committee to escort State Treasurer Robert S. O'Brien from the House Chamber.

The President of the Senate directed the special committee to escort His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington, from the House Chamber.

President Cherberg: "Commander Brunhaver, ladies and gentlemen: The President takes a great deal of personal pride in our young and honored visitor here today in that, being a native of Pensacola, Florida, I am very proud of the fact that Commander Brunhaver received his training in Pensacola. We thank you for coming, sir, and we are honored by your presence."

The President of the Senate directed the special committee to escort Commander Richard Brunhaver from the House Chamber.

#### PERSONAL PRIVILEGE

Representative Pardini: "Mr. President, members of the Senate, members of the House of Representatives, ladies and gentlemen: I think we have had a very fitting tribute to a man who is a hero, who is a symbol of many people who have done something for this country. There are many people on this floor who did not agree with the war, as the Governor stated. But there is a feeling of consternation among several members of this House at the expression of displeasure of some of the people in the gallery. I would suggest to these

people in the gallery, who have discomfort, who do not agree, that they carry the message back that this war is over. And it is time to forget what has happened before and start pulling together for a better country. I think that all of us in Joint Session would be remiss if we did not attempt to deliver that message. I hope it is well received, and I hope they take it back. Thank you, Mr. President."

(Applause)

President Cherberg: "Representative Pardini, the President wishes to assure you that the response to your remarks is concrete evidence that they were well chosen, well taken, and well received. Thank you very much.

"Mr. Speaker, on this happy note, it is always a pleasure to once again express the appreciation for the unsurpassed hospitality which you, the members of your House, and staff, extend to the members of the Senate and the President. I wish, once again, to compliment your staff on the wonderful arrangements. Thank you so much."

The President of the Senate turned the gavel over to the Speaker of the House.

The Speaker: "Lieutenant Governor Cherberg, we are always honored when the distinguished members of the Senate visit us."

#### MOTION

On motion of Representative Charette, the Joint Session was dissolved.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tempore Henry, and Vice President Pro Tempore Keefe, and the members of the Senate to the Senate Chamber.

#### THIRD MORNING SESSION

The President called the Senate to order at 11:40 a.m.

#### PERSONAL PRIVILEGE

Senator Walgren: "I cannot help but comment upon the fine job of lobbying that I noticed over in the joint session with the individuals who at least purported to be representing the equal rights amendment. Frankly, I am committed to support that particular position and intend to vote for the measure when it comes out to the floor. But I was ashamed, frankly, to see persons who have such an utter disregard for the proprieties, it seems to me, of the ceremony that we were witnessing over here these last few minutes. And I would think that those persons who are supporting ERA would take some position on their own to try and control some of the people that are with them in their fine group and their fine movement. But I can tell you that that type of an example as presented by some of the people who are carrying the same signs that some of you are now, did not help your cause one bit this morning, and I would not be a bit surprised to find some of the Senators here who are indeed committed to your position to switch just for something as small as that."

#### PERSONAL PRIVILEGE

Senator Knoblauch: "Mr. President and members of the Senate, I want to wait until some of those babes get over here to the Senate chamber before I give my talk. I never have seen a more disgraceful thing in my entire life. I would rather hold my talk until they get over here because they have a tongue lashing coming and they are going to get it."

#### PERSONAL PRIVILEGE

Senator Washington: "Mr. President and members of the Senate, I think I shared the feeling that many of you did, but I think one of the things that we cannot let ourselves be carried away with is what might be termed guilt by association. The ERA movement is tremendously wide. It covers a very diverse group of people, from women who are just

interested in legal rights to a very radical fringe of people. I think we would certainly be doing the entire cause a disservice if we were to allow our votes on this issue to be governed in any way by the conduct of a few people out of the many millions who are in favor of this equal rights amendment throughout the country. Again, I sympathize with Senator Walgren's feelings and I sympathize with the feelings expressed by Senator Knoblauch, and Representative Pardini, but I certainly think we have to keep this in context. If you are going to shoot, shoot with a rifle at those with whom you have a displeasure; do not shoot with a shotgun against the entire ERA movement."

#### PERSONAL PRIVILEGE

Senator Knoblauch: "Mr. President and members of the Senate, a few weeks ago I was thinking about contacting the Lieutenant Governor about inviting Lieutenant Brunhaver to the state Senate and for some reason or another I just simply did not follow through with what I wanted to do. So I was very happy yesterday when I learned that the House and the Senate of the state of Washington were going to have a joint session to honor this fine officer from Moxee, Washington, of whom all the people of America can be proud. And this morning I could not help but notice that when the Lieutenant Governor introduced Mr. Bush, the Governor of the state of Washington, our state Auditor and our very distinguished guest, that some ladies up in the gallery did not have the decency to stand up as these men were introduced. They did not have the decency to stand up when Lieutenant Brunhaver was escorted down the aisle. They sat there like a bunch of dummies that did not want to give respect to those who served our country so well. As far as I am concerned, not only the two ladies in the front row but those who sat up in back are a disgrace to their country. They are a disgrace to womanhood. They are a disgrace to the equal rights amendment group. I certainly cannot blame all of the people of the state who are for equal rights for the disgraceful thing that we saw today, but why didn't they stay away if they did not want to show their respect to our war hero? Why did they come and sit in the gallery and sit on their fannies, a disgraceful action for citizens of the state of Washington? If I had my way they would be escorted out of the Senate gallery. As far as I am concerned, they struck a new low today in the city of Olympia. How they could sit there, and I suppose they would have sat down also for the national anthem. Ladies who did not stand up today, as far as I am concerned, you are a disgrace to the state of Washington and the United States of America."

#### PERSONAL PRIVILEGE

Senator Fleming: "Mr. President, I too, agree with some of the things that Senator Knoblauch has said and I think that he was right in pinpointing some of the things that he did say. I also would like to remind the members on this floor, as Senator Washington did earlier, that to pick out two young ladies that might have been disrespectful to the ceremony in the House and label the entire equal rights movement by the women of this state and of this nation, I think that we would be remiss in doing that. I think that your point is well taken as well as the points by Representative Pardini. I would hope that we would take Senator Knoblauch's statement and words in the right vein. I would hope that the members on this floor that at some point in time had anticipated voting for the equal rights amendment that are still in the process of making up their minds to vote for the equal rights amendment will not let that incident that happened sway their minds on such an important issue. I think that if you will just sit or you were sitting there and watching the young ladies that would have indicated to you that these two young ladies were not indicative of the representation of the women of this nation who are behind the equal rights amendment. So I, too, agree with you, Senator Knoblauch, that they should not have been there if they did not want to honor these men, but I do not think we should label the entire movement and eventually possibly defeat the ratification of the equal rights amendment on such an incident."

#### REMARKS BY SENATOR KNOBLAUCH

Senator Knoblauch: "Mr. President, not only were there two in the front row, but on

top there were a good many women with the ERA signs on that also sat down. It was not just two. It was quite a large group."

#### MOTIONS

On motion of Senator Henry, Engrossed House Bill No. 291 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the second reading calendar for Friday, March 23, 1973.

On motion of Senator Lewis (Harry), Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

#### SECOND READING

SENATE BILL NO. 2139, by Senators Bottiger and Woodall (by Attorney General request):

Construing the consumer protection act to extend to any unfair practice, act, or method of a camping club in the conduct of its trade or commerce.

The bill was read the second time by sections.

Senator Odegaard moved adoption of the following amendment by Senator Donohue:

On page 1, section 1, line 10, strike the period and insert: "": PROVIDED, That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purposes of this 1973 act."

Debate ensued.

#### POINT OF INQUIRY

Senator Bottiger: "Would Senator Odegaard yield to a question? Senator Odegaard, the figure you quoted, is that a fiscal note that we received on that?"

Senator Odegaard: "Yes, it is, Senator."

Senator Bottiger: "The Attorney General's office consumer protection division is currently receiving complaints and processing them at this time. I am just wondering what the additional funds would be necessary for."

Senator Odegaard: "Our fiscal note shows salaries, other goods and services such as phone costs, rental of building costs, attorney general fees, utility supplies facilities, total thirteen thousand eight hundred; and some per diem and mileage costs total nineteen hundred and eighty. That all adds up to about eighty-one thousand in a biennium."

#### MOTION

On motion of Senator Bottiger, Senate Bill No. 2139 together with the amendment by Senator Donohue moved for adoption by Senator Odegaard, was ordered held for further consideration on the second reading calendar for Thursday, March 22, 1973.

#### MOTION

On motion of Senator Talley, the following letter was ordered placed in the Journal:

"March 21, 1973, 11:50 a.m.

Dear Lt. Gov. Cherberg:

Those of us who have been working for the ERA at our homes and here in Olympia want you to know we are in full accord with your statement before the Joint Session honoring our P.O.W.

We feel that the two women who raised the ire of all of us in the Chambers are not part of the women's groups who are for the ERA. They are individuals who all of us would prefer not to be associated with.

Thank you for expressing your feelings which coincided so well with our sympathies.

Respectfully,

(signed by) Beverly Corwin."

"(I have been working with the League of Women Voters, N.O.W. and individuals on the ERA.)"

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2518 was ordered to hold its place on the second reading calendar for Thursday, March 21, 1973.

#### SECOND READING

SENATE BILL NO. 2088, by Senators Francis, Peterson (Ted) and Herr:  
Permitting cosmetologists to serve men and women.

#### REPORT OF STANDING COMMITTEE

February 15, 1973.

SENATE BILL NO. 2088, permitting cosmetologists to serve men and women (reported by Committee on Commerce):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, subsection (5), line 29, between "nails" and "by" insert "*of the hands and feet, also the administration of facials*"

On page 5, section 4, line 17, after the period following "hair" add a new paragraph as follows:

*"This chapter shall not apply to persons engaged in the care or treatment of patients in health facilities or engaged in the care of residents of boarding homes and similar residential care facilities."*

Signed by: Senators Greive, Chairman; Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

The bill was read the second time by sections.

Senator Greive moved adoption of the committee amendment to page 2, section 1, subsection (5), line 29.

#### MOTION

On motion of Senator Greive, further consideration of Senate Bill No. 2088 was ordered held at the end of the second reading calendar for today.

#### SECOND READING

SENATE BILL NO. 2229, by Senators Bottiger, Clarke and Woody (by Department of Social and Health Services request):

Limiting the application of the administrative procedure act in certain proceedings.

#### REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2229, limiting the application of the administrative procedure act in certain proceedings (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 9, after "militia" strike "[, or the board of prison terms and paroles,]" and insert ", or the board of prison terms and paroles,".

On page 1, section 1, beginning on line 12, after "apply to" strike "*the board of prison terms and paroles or*".

Signed by: Senators Day, Chairman; Clarke, Connor, Francis, Jones, Murray, Twigg, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Woody, the committee amendments were adopted.

On motion of Senator Woody, Engrossed Senate Bill No. 2229 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2229, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Scott, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 2229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENT

##### MOTION

On motion of Senator Bailey, the appointment of MRS. KAY GREEN as a member of the Washington State Parks and Recreation Commission was confirmed.

#### APPOINTMENT OF MRS. KAY GREEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Sellar—1.

#### SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2069.

##### MOTION

On motion of Senator Mardesich, Substitute Senate Bill No. 2226 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

#### SECOND READING

SENATE BILL NO. 2063, by Senators Woodall, Bottiger and Francis (by Legislative Council request):

Enacting the Washington criminal code.

## JOURNAL OF THE SENATE

## MOTION

Senator Francis moved that Senate Bill No. 2063 be re-referred to the Judiciary Committee.

Debate ensued.

The motion carried. Senate Bill No. 2063 was re-referred to the Judiciary Committee.

## MOTION

At 12:20 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

## SECOND READING

ENGROSSED HOUSE BILL NO. 14, by Representative Bluechel:

Providing for the practice of acupuncture under the supervision of a licensed physician.

## MOTION

Senator Durkan moved that Engrossed House Bill No. 14 be re-referred to the Committee on Social and Health Services.

## POINT OF INQUIRY

Senator Talley: "Would you be amenable to holding it on the calendar for four or five days to study it?"

Senator Durkan: "Senator, I think that the issues are very deep and important and I have no objections to discussing it with you. That was one of the problems that was raised, that it does not cover the entire profession, it covers only parts of it, and it omits others. There is a question in the manner in which it is now being operated; and it was discussed with me at great length and in order to be fair about it, that was the intent that I raised in the caucus this morning so it would be, and I have talked to Dr. Day about it."

The motion by Senator Durkan carried and Engrossed House Bill No. 14 was re-referred to the Committee on Social and Health Services.

## SECOND READING

SENATE BILL NO. 2634, by Senators Clarke, Guess and Fleming (by Executive request):

Enacting the State Building Code Act.

## MOTION

On motion of Senator Fleming, Substitute Senate Bill No. 2634 was substituted for Senate Bill No. 2634, and the substitute bill was placed on second reading and read the second time in full.

Senator Clarke moved adoption of the following amendment by Senators Whetzel and Clarke:

On page 3, section 6, line 20, after "(3)" strike "The" and insert "Notwithstanding the provisions of subsection (1) of this section, the".

## POINT OF INQUIRY

Senator Mardesich: "Would Senator Clarke yield? Senator Clarke, I think I am in



accord with your amendment. The only thing that disturbed me is subsection 3 in section 6. When I read it, it seems to almost completely negate the effect of the bill if the local authority wanted to do so. I read it earlier today and was groping for some way to make that not so possible, but if I read that language correctly, it would completely negate the effect of the bill. Your amendment would seem to do so with respect to a particular class of buildings. Do you read that the same way that I do, that it almost allows the local units to do whatever they wish in spite of section 1?"

Senator Clarke: "Yes, Senator, in substance I think that would be true. That is, a local governing body can limit the application as to specified classes or types. Now the saving provision and admittedly this is a difficult situation to allow the local authority the power without giving them complete power to override, but I think the last part of section 3 where it says, 'or such other distinctions as may make differentiation or separate classification or regulation necessary, proper or desirable.' In other words, I think there is still the burden on the local authority to show a proper basis for this differentiation. I do not think they could just come in on more or less of a blanket basis and completely exempt themselves from the code. They would have to show that they had something unique that would justify that exemption and that is the intent, at least, of my amendment and my reading of the provision."

The motion by Senator Clarke carried and the amendment was adopted.  
Debate ensued.

#### MOTION

On motion of Senator Fleming, further consideration of Substitute Senate Bill No. 2634, as amended, was placed following House Joint Resolution No. 10 on today's second reading calendar.

#### SECOND READING

SENATE BILL NO. 2421, by Senators Ridder, Marsh and Canfield (by Secretary of State request):

Providing for changes in the publication of notice of proposed constitutional amendments.

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE BILL NO. 2421, providing for changes in the publication of notice of proposed constitutional amendments (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 16, after "65.16.150." and before "Sec. 2." insert "*The secretary of state may confer with appropriate media as to format of such public notice.*"

Signed by: Senators Grant, Chairman; Canfield, Gardner, Stortini.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendment was adopted.

Senator Marsh moved adoption of the following amendment:

On page 2, line 14, after "polling places" and before the period insert: "*PROVIDED, That the secretary of state shall not duplicate information contained in the official notice of the election as provided in RCW 29.27.080, as it now exists or is hereafter amended.*"

#### POINT OF INQUIRY

Senator Whetzel: "Senator Marsh, will you yield? Have you discussed this amendment with the state elections office?"

Senator Marsh: "Yes, I have."

Senator Whetzel: "And does this have their approval?"

Senator Marsh: "This has their approval. As a matter of fact they drew the language."

## POINT OF INQUIRY

Senator Canfield: "Will Senator Grant yield to a question? Senator, I have no amendment on page 2, but I call your attention to subsection (e) and I recall in the last election some charges were made that the statements in some parts of the pamphlet were biased, untrue, unfair. You remember that, don't you, Senator Metcalf? So my question, Senator Grant, in regard to subsection (e) is this: Would these known and responsible individuals or committees be hand picked to present only one side? Could they be picked so as to just present one side?"

## POINT OF ORDER

Senator Marsh: "Mr. President, I think that Senator Canfield's inquiry relates to a different matter other than the amendment under consideration. I would ask if perhaps the response might be deferred until after we had a vote on the amendment."

Senator Canfield: "Mr. President, his point is well taken. I thought the amendment had been considered."

The motion by Senator Marsh carried and the amendment was adopted.

## POINT OF INQUIRY

Senator Canfield: "I would like for Senator Grant to comment on the question."

Senator Grant: "I really do not understand the question, Senator. Would you mind repeating it?"

Senator Canfield: "I know that according to the present statutes, individuals or groups are asked to sponsor pro and con statements. Is that not correct?"

Senator Grant: "That is correct."

Senator Canfield: "Now subsection (e) restates that, but I have a kind of a feeling that perhaps the Secretary of State's office feels that some of the statements in the last voters' pamphlet were not completely unbiased and I am just wondering if they could load these statements to present just one side?"

Senator Grant: "Senator Canfield, I do not know that subsection (e), either having it in or deleting it, would get to the problem that you raise. There were questions raised relative to the voters' pamphlet in the last election as to some of the explanatory comments that were made by the Attorney General's office, as a matter of fact. Now this bill and that section permits the Secretary of State to advertise that there are certain groups that are sponsoring or in opposition to a given ballot issue. Now whether they are responsible or irresponsible, I do not know how we will be able to determine that. I am not, frankly, a sponsor of this measure, and perhaps one of the sponsors might be better able to answer your question."

On motion of Senator Ridder, the following amendment was adopted:

On page 2, after line 14, add the following paragraph:

*"The secretary of state shall not publish the proper name of any candidate for public office or any incumbent public official within the content of any notice published as provided in RCW 29.27.072, except when that individual is a member of a committee appointed to draft an official argument for the voters' pamphlet as provided in RCW 29.81.030, 29.81.040, 29.81.050, or 29.81.060."*

On motion of Senator Metcalf, the following amendment was adopted:

On page 2, line 6, after "services" and before the period insert: "*PROVIDED, That the secretary of state, having such voter information services, shall not distribute any explanatory material unless such material has been verified by each known committee*".

On motion of Senator Ridder, Engrossed Senate Bill No. 2421 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2421, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Absent or not voting: Senators Lewis (Harry), Murray-2.

ENGROSSED SENATE BILL NO. 2421, having received the 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 Senator Mardesich, House Joint Resolution No. 10 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

On motion of Senator Scott, Senator Lewis (Harry) was excused.

#### SECOND READING

SENATE BILL NO. 2513, by Senators Talley and Twigg:  
Raising salaries of county officials.

#### REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2513, raising salaries of county officials (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 19, after "*dollars.*" strike the remainder of the section and insert "*The county legislative authority of such county is authorized to increase the salary of such office, beginning January 1, 1975, beyond that set by this 1973 amendatory act.*"

On page 4, section 2, beginning on line 19, after "*counties:*" strike the remainder of the paragraph and insert "*Prosecuting attorney, thirty thousand three hundred dollars;*"

On page 6, section 2, beginning on line 28, strike all of the material down to and including "*1974.*" on page 8, line 1, and insert "*The county legislative authority is authorized to increase the salary of any county officer set by this 1973 amendatory act, which increase shall not take effect before January 1, 1975.*"

Signed by: Senators Fleming, Chairman; Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

The bill was read the second time by sections.

Senator Fleming moved adoption of the committee amendment to page 1, section 1, line 19.

Senator Woodall moved adoption of the following amendment to the committee amendment:

Amend the committee amendment to page 1, section 1, line 19 as follows:

In line 2 of the amendment, after "*authorized to*" and before "*the salary*" strike "*increase*" and insert "*establish*" and in line 3 of the amendment after "*office*" insert a period and strike remainder of amendment.

Debate ensued.

#### POINT OF INQUIRY

Senator Whetzel: "Senator Woodall, I have been leaving through my Constitution in a hurry to see if we are running afoul of any constitutional provision on decreasing the compensation of a public official during his term of office. Have you checked this out to see whether Article XXX is violated by your amendment?"

Senator Woodall: "You probably could not for the particular year to an incumbent. However, you could establish the new schedule for that office at any time. There is nothing to stop them establishing it for new holders."

Senator Whetzel: "One other question with respect to your language. What happens if the county legislative authority takes no action? Will the present salary remain or must they take action in order to establish any salary at all for such office?"

Senator Woodall: "We merely give them the power to establish a new schedule either way they want to go."

Senator Whetzel: "I am concerned by use of the word 'established'. It might imply . . . ."

Senator Woodall: "Would the word 'set' . . . ."

Senator Whetzel: "I will make a deal with you here. How about 'increase or decrease'?"

Senator Woodall: "Good, whatever is fair. I will buy that. I would move that oral amendment to the amendment, if there be no objection."

On motion of Senator Woodall, the amendment by Senator Woodall to the committee amendment was orally amended to read as follows:

Amend the committee amendment to page 1, section 1, line 19 as follows:

In line 2 of the amendment, after "authorized to increase" and before "the salary" insert "or decrease" and in line 3 of the amendment after "office" insert a period and strike the remainder of the amendment.

#### POINT OF INQUIRY

Senator Fleming: "Will Senator Woodall yield to a question? Senator, I did not see the amendment on the bill and I faintly caught the reading of it, but you did not change the intent of the committee amendment by saying that we could not set their first salary and then let them establish it thereafter?"

Senator Woodall: "No, their salary is set now by law. This does not change that."

#### POINT OF INQUIRY

Senator Talley: "Will Senator Woodall yield to a question? As I read it, it does not do anything about this present increase that we have in the bill?"

Senator Woodall: "No."

#### POINT OF INQUIRY

Senator Ridder: "Will Senator Woodall yield to a further question? Would this mean that immediately upon passage of the raise to ten thousand three hundred dollars the legislative authority of the county could then increase or decrease at that time?"

Senator Woodall: "If they wanted to, yes. That is local control. They have the power to face the local voters and do what they want just like we have the power to set our salaries."

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Woodall yield? As I read the amendment, Senator Woodall, we are still setting the salary of ten thousand dollars as of 1974 and then thereafter they will be able to establish their salaries."

Senator Woodall: "This gives them the immediate authority to go either direction they want. The way it read before was they did not have any authority until after 1975 and then they could only go one way, up. I do not know how you feel up your way, but in the smaller counties, we are always hit with this. The county commissioners hide behind the law and they always say, 'Oh, we did not ask for the raise. They did it to us over in Olympia.' Of course, they come around and ask us to do it. They come around and beg us to vote these and then they go home and they say, 'But we did not really want it.' And I am just saying, let us put the local control where it should be and let them measure up and accept their full share of responsibility."

Senator Fleming: "And to the question that was put to you before, you are reading this as that they have the authority now through this to establish their salaries and receive that while in office?"

Senator Woodall: "Yes."

#### POINT OF INQUIRY

Senator Bailey: "Senator Woodall, I would like to ask a question. We have set in here certain raises for county officials. I think we set certain raises for these county officials in here in this bill. We are making effective immediately the power of the county commissioners in your amendment to take over salary setting, but are we in effect also leaving the pay raises in here in case the county commissioners do not act? I think this is the question that Senator Fleming and Senator Ridder were getting at. Do we leave the pay raises in here or do they all come out?"

Senator Woodall: "This amendment, if nothing is done, would leave it exactly the way the bill is written. All that amendment does is to accelerate the date to the present from the '75 date which is in there and it adds the words 'up or down'."

#### POINT OF INQUIRY

Senator Bottiger: "Would Senator Woodall yield to another question? Senator Woodall, with the adoption of your amendment, we are right back to where we are now. They can do all of this anyhow and they really do not need this legislation. Isn't that correct?"

Senator Woodall: "No, I think they needed the implementing legislation after the constitutional amendment. I do not think the constitutional amendment was self-executing."

#### POINT OF INQUIRY

Senator Bottiger: "Senator Woodall, as I understand it, with the adoption of your amendment the county commissioners, the legislative authority of the county, can set the salary effective right now pursuant to the recent constitutional amendment up or down and the rest of this language in here about what we are setting has no effect."

Senator Woodall: "It does if they do not do anything about it, but they have the power to go up or down. In other words, they cannot say that we made it higher than they wanted it or that we put a burden on them by making it too costly. They have the authority to adjust right now, as soon as this amendment goes in, or they can leave it alone and do nothing."

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2513, the committee amendments and the pending amendment by Senator Woodall to the committee amendment were ordered placed at the end of today's second reading calendar.

#### SECOND READING

SENATE BILL NO. 2382, by Senator Woody (by Washington Judicial Retirement Board request):

Pertaining to judicial retirement benefits.

#### REPORT OF STANDING COMMITTEE

February 9, 1973.

SENATE BILL NO. 2382, pertaining to judicial retirement benefits (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

Strike all of *NEW SECTION* Section 1 and insert:

“Section 1. Section 15, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.150 are each amended to read as follows:

Every judge retired either for service or disability under the provisions of this chapter shall file a statement of employment income with the retirement board. Any retired judge who is receiving income from employment of any kind shall have his retirement allowance reduced by the amount that his combined retirement allowance and employment income exceed the current monthly salary being paid a judge of the same court in which the retired judge served immediately prior to his retirement: *PROVIDED, HOWEVER, That pro tempore service as a judge of a court of record shall not constitute employment as that term is used in this section and income from such service need not be reported to the retirement board.* Failure to file or the filing of a false statement shall be grounds for cancellation of all benefits payable under this chapter.”

Strike entire New Section 2.

In line 2 of the title strike “repealing” and insert “amending”.

In line 3 of the title after “RCW 2.10.150” strike remainder of the paragraph down to but not including the period.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Twigg, Woodall.

The bill was read the second time by sections.

Senator Woody moved adoption of the committee amendment striking all of New Section 1.

Debate ensued.

#### MOTION

On motion of Senator Woody, and with the consent of the Senate, the Senate commenced consideration of the following amendment by Senator Francis before further consideration of the committee amendment striking New Section 1.

Senator Francis moved adoption of the following amendment:

Strike all of *NEW SECTION* 1 and insert:

“Section 1. Section 15, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.150 are each amended to read as follows:

Every judge retired either for service or disability under the provisions of this chapter shall file a statement of income with the retirement board. Any retired judge who is receiving income from employment of any kind shall have his retirement allowance reduced by the amount that his combined retirement allowance and employment income exceed the current monthly salary being paid a judge of the same court in which the retired judge served immediately prior to his retirement: *PROVIDED, HOWEVER, That pro tempore service as a judge of a court of record shall not constitute employment as that term is used in this section and income from pro tempore service need not be reported to the retirement board. Pro tempore service shall be limited to not more than ninety days in any single year; and the combined retirement allowance of a retired judge together with his income as a pro tempore judge shall not exceed the salary being paid a judge of the same court in which the retired judge served immediately prior to his retirement.*

Failure to file or the filing of a false statement shall be grounds for cancellation of all benefits payable under this chapter.”

On motion of Senator Atwood, Senate Bill No. 2382, the pending committee amendments, and the amendment by Senator Fleming were ordered held for further consideration following Senate Bill No. 2256.

#### MOTION

On motion of Senator Bottiger, Senate Bill No. 2256 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

## SECOND READING

SENATE BILL NO. 2416, by Senators Bottiger and Walgren:

Implementing the law relating to motor vehicle theft.

The bill was read the second time by sections.

On motion of Senator Henry, Senate Bill No. 2416 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Van Hollebeke: "Would Senator Bottiger please yield? What about penalties for stolen parts?"

Senator Bottiger: "It is a gross misdemeanor. There would be the possibility of a felony if it fit under the other felony statute but under this statute it is a gross misdemeanor."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2416, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Absent or not voting: Senators Jones, Murray, Stortini, Woodall—4.

Excused: Senator Lewis (Harry)—1.

SENATE BILL NO. 2416, having received the 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. 2435, by Senators Day, Atwood and Durkan:

Implementing the uniform alcoholism and intoxication treatment act.

## REPORT OF STANDING COMMITTEE

February 14, 1973.

SENATE BILL NO. 2435, implementing the uniform alcoholism and intoxication treatment act (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 7, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.070 are each amended to read as follows:

Pursuant to the provisions of RCW 43.20A.360, there shall be a citizens advisory council *composed of not less than seven nor more than fifteen members, at least two of whom shall be recovered alcoholics and two of whom shall be members of recognized organizations involved with problems of alcoholism. The remaining members shall be broadly representative of the community, shall include representation from business and industry, organized labor, the judiciary, and minority groups, [concerned] chosen for their demonstrated concern with alcoholism problems* [, to advise the department, whose]. Members shall be appointed by the secretary. *In addition to advising the department in carrying out the purposes of this chapter, the council shall develop and propose to the secretary for his consideration the rules and regulations for the implementation of the alcoholism programs of the department. The secretary shall thereafter adopt such rules and regulations as shall, in his judgment properly implement the*

*alcoholism programs of the department consistent with the welfare of those to be served, the legislative intent and the public good.*

In line 1 of the title, after "amending" strike the balance of the title and insert "section 7, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.070."

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Keefe, Murray, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Day yield to a question? Senator Day, your amendment to page 1 says, 'The members of this committee shall be appointed by the secretary'."

Senator Day: "That is correct."

Senator Rasmussen: "Who appoints the secretary?"

Senator Day: "The Governor does."

Senator Rasmussen: "Then why should not the Governor appoint the members of the committee?"

Senator Day: "He never has before and in addition the Governor appoints a man he has confidence in and then he allows him to appoint some of these advisory committees and that is what this is, it is an advisory committee to the department on this specific subject. And I think that indirectly he will certainly have some input into the thing. It was acceptable and discussed with John Bright from the Governor's office and with the department also."

Senator Rasmussen: "Provides for any legislators to work on the alcoholic problem?"

Senator Day: "I do not think that is possible under this. It says the remaining members shall be broadly representative of the community, shall include representatives of business, industry, organized labor, judiciary and minority groups. Now I do not think that would preclude necessarily the appointment of a legislator. Some of them could fit under the alcoholic part."

Senator Day moved adoption of the following amendment by Senators Day and Durkan:

Immediately following section 1, add four new sections to read as follows:

"**NEW SECTION.** Sec. 2. There is added to chapter 70.96 RCW a new section to read as follows:

Any county or combination of counties acting jointly by agreement, hereinafter referred to as "county", may create an alcoholism administrative board. Such board shall be composed of not less than seven nor more than fifteen members, who shall be representative of the community, shall include at least two recovered alcoholics, and shall include consumer and minority group representation. No more than four elected or appointed city or county officials may serve on such board at the same time. Members of the board shall serve three year terms and until their successors are appointed and qualified. They shall not be compensated for the performance of their duties as members of the board, but may be paid subsistence rates and mileage in the amounts prescribed by RCW 36.17.030 as now or hereafter amended.

The alcoholism administrative board, the county and the department of social and health services shall, in the area of alcoholism prevention, treatment and education, and the administration, planning and funding thereof, have the same duties, responsibilities, powers, liabilities and authorities as are provided by chapter 71.24 RCW with respect to the mental health administrative board, the county and the department of social and health services.

An executive director of the board may be appointed by the county commissioners subject to the approval of the board. Applicants for such position need not be residents of the county, city or state, and may be employed on a full or part time basis.

Sec. 3. Section 2, chapter 77, Laws of 1972 1st ex. sess. and RCW 70.96.096 are each amended as follows:

In order to be eligible to receive its share of liquor taxes and profits, each city and



county shall be required to devote no less than two percent of such share of liquor taxes and profits to the support of an alcoholism program approved by the *alcoholism administrative board authorized by section 2 of this 1973 amendatory act and the secretary of the state department of social and health services.*

*NEW SECTION.* Sec. 4. There is added to chapter 70.96 RCW a new section to read as follows:

Any appropriation to the state department of social and health services for alcoholism programs shall be distributed as follows:

(a) Not more than ten percent to the department of social and health services for administration;

(b) not more than twenty percent to the department of social and health services for funding of pilot and state-wide alcoholism programs, if any; and,

(c) the remainder to be provided for alcoholism programs pursuant to section 2 of this 1973 amendatory act, in the ratio of liquor taxes and profits derived from a county or within a county to the taxes and profits derived from the total sale of liquor statewide.

Sec. 5. Section 3, chapter 111, Laws of 1967 ex. sess. as last amended by section 30, chapter 122, Laws of 1972 ex. sess. and RCW 71.24.030 are each amended to read as follows:

The secretary is authorized, pursuant to the provisions of this chapter and the rules and regulations promulgated to effectuate its purposes, to make grants to assist counties or combinations of counties in the establishment and operation of community mental health programs to provide one or more of the following services:

(1) Out patient diagnostic and treatment services.

(2) Inpatient psychiatric services.

(3) Rehabilitation services for patients with psychiatric illnesses.

(4) Informational services to the general public and educational services furnished by qualified mental health personnel to schools, courts, health agencies, welfare agencies, probation departments and other appropriate public or private agencies or groups.

(5) Consultant services to public or private agencies for the promotion and coordination of services that preserve mental health and for the early recognition and management of conditions that might develop into psychiatric illnesses.

(6) Inpatient or outpatient care, treatment or rehabilitation services of [alcoholics, persons incapacitated by alcohol and intoxicated persons and] persons using controlled substances in violation of chapter 69.50 RCW.

(7) Such services as are set forth in subsection (4) which pertain to the education and information about and prevention of problems of drug [and alcohol] abuse.

Such inservice training as may be necessary in providing any of the foregoing services shall be proper items of expenditure in connection therewith."

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Day yield? Senator Day, due to the ultimate closure of Northern State Hospital, we are concerning ourselves to diversification of the facility and one of the programs that we are proposing is an alcohol treatment program. Now would your amendment preclude the use of a portion of this state facility for the treatment of alcoholism in this facility?"

Senator Day: "No, it certainly would not, Senator Peterson, and as you recognize we have a facility in our county, for example, in Edgecliff Hospital, which has a wing that is not being used which we plan to bring into this program eventually. As you probably well know, the TB program and the alcoholism program really have been related by the individual problems associated with the disease even before this passes, so that there is every possibility that facilities such as Northern State and Edgecliff and others will be used in this particular program."

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Day yield to a further question? Senator Day, I am a little bit concerned with your last statement to Senator Peterson, in which you

indicated that we are going to put these people in institutions. Now, as Senator Woodall well knows, we are having a program proposed that the people of Walla Walla be put out in the community. Do you think that we should lock up the people in institutions that are alcoholics and do not harm anybody and then release the people in Walla Walla to circulate in the community?"

Senator Day: "No, I do not, and that is not the intent of this at all. I am just saying that there will be a necessity as this program expands and goes into effect that we have 'detox' centers, for example, and there are some people who get into a physical condition with alcohol, with the drug alcohol, who do need to be detoxified and, in answer to Senator Peterson's question, certainly there could be a detox center at the Northern State Hospital."

Senator Rasmussen: "At the present time, Senator, they are now using our local hospitals for this purpose?"

Senator Day: "No, they are using the drunk tank in most instances and facilities such as that, and of course if an alcoholic has to be hospitalized, I imagine they could send him to a local hospital. This amendment makes it possible for your local county commissioners to establish what they are going to do. It is not mandated from the state on how they handle them in your county."

Senator Rasmussen: "Further question on that amendment, Senator. This only provides that they may apply for a grant. They do not get per capita a portion of this fund automatically?"

Senator Day: "No, under the present program, you see the effective date has been set off until, I believe it is January 1, 1975, and consequently the program is not in effect. The only thing we have in effect at the moment are the pilot programs. And as it happens, one of the big pilot programs is in my county. Now the people presently involved in the pilot program would not necessarily be for this particular amendment. So really, I have changed the direction of my own county. I have taken quite a bit of heat on it, too. But the thing is that this cannot be something that is done in any manner to influence a Senator. It has got to be done in a manner that is effective and so that the program will have continuity and work. And of course that is what this establishes. Now the first amendment established a new advisory committee so that the people who have had successful experience with alcoholism can make this thing work. Now they find out that handling these patients under the mental health program just does not do the job, that they have to have some other care, some other counseling. AA has been very successful in this. The people who have been doing this on a voluntary basis have the successful program, and all we are doing is assuring that that successful program is the one we start with so that we can improve that if that is possible."

The motion of Senator Day carried and the amendment by Senators Day and Durkan was adopted.

On motion of Senator Durkan, the following amendment was adopted:

Following section 5 of the amendment by Senators Day and Durkan, add the following:

"*NEW SECTION.* Sec. 6. There is hereby appropriated the sum of \$4,268,520 to carry out the purposes of this act."

On motion of Senator Day, the following amendment to the committee amendment to the title by Senators Day and Durkan was adopted:

Amend the committee amendment to the title by inserting after "RCW 70.96A.070" and before the period "; amending section 3, chapter 111, Laws of 1967 ex. sess. as last amended by section 30, chapter 122, Laws of 1972 ex. sess. and RCW 71.24.030; adding a new section to chapter 70.96 RCW; and making an appropriation".

On motion of Senator Day, the committee amendment to the title, as amended, was adopted.

On motion of Senator Day, Engrossed Senate Bill No. 2435 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2435,

and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Jones—1.

Excused: Senator Lewis (Harry)—1.

ENGROSSED SENATE BILL NO. 2435, having received the 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. 2634, by Senators Clarke, Guess and Fleming (by Executive request):

Enacting the State Building Code Act.

The Senate resumed consideration of Substitute Senate Bill No. 2634, the amendment by Senators Whetzel and Clarke to page 3, section 6, line 20 having been adopted previously today.

Senator Rasmussen moved adoption of the following amendment:

On page 1, section 2, beginning on line 25, strike all of subsection (6) and renumber the remaining subsections consecutively.

Debate ensued.

The motion by Senator Rasmussen carried and the amendment was adopted on a rising vote.

On motion of Senator Rasmussen, the following amendments were adopted:

On page 3, section 7, lines 26 and 27, strike "within the planning and community affairs agency".

On page 4, section 7, line 3, after "receive" strike "the maximum allowable".

#### POINT OF INQUIRY

Senator Twigg: "Would Senator Guess yield? Senator Guess, as a sponsor of this measure, can you tell me whether or not this measure in any way has anything to do with home maintenance codes?"

Senator Guess: "Senator Twigg, the bill adopts and makes available to each of the local towns, cities and counties the Uniform Building Code and Related Standards published by the International Conference of Building Officials. It also has to do with the Uniform Mechanical Code of 1973, the Uniform Fire Code, the Uniform Plumbing Code, and the American National Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped. It does not have anything to do whatsoever with home maintenance codes, however."

On motion of Senator Fleming, the rules were suspended, Engrossed Substitute Senate Bill No. 2634 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2634, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted),

Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2634, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 782, by Representative Charette:  
Regulating chain distributor business schemes.

#### POINT OF INQUIRY

Senator Greive: "Will Senator Mardesich yield to a question? Why was this bill sent directly to Rules and did not go to any committees? Is this the same bill as something else that had passed the Senate?"

Senator Mardesich: "This is the same bill that went through the Senate, with the exception of this amendment that is being offered now."

Senator Greive: "What committee did it go through originally?"

Senator Mardesich: "I assume it went through yours originally."

#### MOTION

On motion of Senator Greive, Engrossed House Bill No. 782 was ordered to hold its place on the second reading calendar for Thursday, March 22, 1973.

#### SECOND READING

SENATE BILL NO. 2088, by Senators Francis, Peterson (Ted) and Herr:  
Permitting cosmetologists to serve men and women.

The Senate resumed consideration of Senate Bill No. 2088, the committee amendment to page 2, section 1, subsection (5), line 29 having been moved for adoption by Senator Greive earlier in the day.

The motion by Senator Greive carried and the committee amendment was adopted.

On motion of Senator Durkan, the committee amendment to page 5, section 4, line 17 was adopted.

Senator Durkan moved adoption of the following amendment:

On page 2, section 1, line 3, after "Section 1." and before "Section" insert the following:

"Section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957 and RCW 18.15.010 are each amended to read as follows:

Any one or any combination of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, either directly or indirectly, or without payment, for the public generally upon male or female) constitutes the practice of barbering: (1) Shaving or trimming the beard or cutting the hair; (2) giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances; (3) singeing, shampooing or dyeing the hair, or applying tonics; (4) applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, neck or upper part of the body: PROVIDED, That the provisions of this chapter shall not apply to any person employed in, or engaged in the operation of any beauty shop or hair dressing establishment or to persons engaged in the care or treatment of patients in health facilities or engaged in the care of residents of boarding homes and similar residential care facilities: PROVIDED, FURTHER, That a certified men's hair stylist may perform the following additional practices: (1) The shaping or dressing of the hair; (2) styling and designing of the beard or mustache; (3) hair analysis, reconditioning, and restoration

*procedures, as required; (4) the chemical processing of the hair, including temporary or permanent body waving, curl correction, or straightening, as well as the application of other chemicals in the process of barbering; and (5) the fitting and servicing of wigs, wefts, and hair pieces.*

Sec. 2. Section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050 are each amended to read as follows:

Barber examinations shall be held six times in each year in the months of February, April, June, August, October and December; and on such particular dates, within the said times, and in such particular cities and places as the director of [licenses] *motor vehicles* shall determine. Every applicant for a license or permit to practice barbering in this state shall be required to take an examination in each branch as follows: (1) sanitation as applied to the practice of barbering, (2) sterilization as applied to the practice of barbering, (3) and as to whether he has sufficient knowledge of the common contagious and infectious diseases of the face, skin, and scalp, to avoid spreading thereof in the practice of barbering; (4) and as to whether he has sufficient knowledge of the use of chemicals, creams, lotions, and solutions as applied in the practice of barbering; (5) and in any other portion of the curriculum as required by this law; and such applicant shall be required to demonstrate to the barber examining committee his professional skill and ability in performing the following barber services; (1) Haircutting, (2) shaving, (3) massaging, (4) shampooing, and (5) conditioning his barber tools.

Any applicant, other than one applying under the provisions of RCW 18.15.040, who secures a passing grade in each branch of not less than seventy-five percent in his examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than sixty-five percent of perfect, and possesses the other particular qualifications provided in this chapter, shall be entitled to receive, and the director of licenses shall issue to him, a permit to practice barbering in this state. Every person receiving such permit shall be required to serve one and one-half years (eighteen months) under the direct supervision of a licensed barber. A year shall be construed to mean a period of not less than fifty-two weeks consisting of forty hours per week of service by the permittee. He must then pass an examination not less than seventy-five percent of perfect, and demonstrate to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than seventy-five percent of perfect, and possess the qualifications required in this chapter, after which the director shall issue to him a license to practice barbering.

Any applicant under the provisions of RCW 18.15.040 who secures a grade in each branch of not less than seventy-five percent in his examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than seventy-five percent of perfect, and possesses the other particular qualifications provided in this chapter, shall be entitled to receive, and the director of licenses shall issue to him a license to practice barbering in this state, until the first day of July next following the issuance of such license. Every applicant for such license shall pay a fee of thirty-five dollars, which fee shall accompany his application. The director upon receipt of such application and fee shall notify the applicant of the particular date, city and place where he is to appear for his examination for a license or permit to practice barbering in this state.

Any unsuccessful applicant for a license or permit to practice barbering in this state shall be entitled to appear at any subsequent barber examination and be reexamined for a license or permit, as the case may be, to practice barbering in this state upon the payment of a reexamination fee of fifteen dollars, and which reexamination fee shall be paid at the time of application for such reexamination, said application and fee to be submitted to the director at least fifteen days prior to an examination date: PROVIDED, That an unsuccessful applicant for a permit shall return to an approved school or college for an additional two hundred fifty hours of instruction before he may be reexamined.

Any person who applies for a license or permit to practice barbering under this chapter, and who does not appear for examination at the time, date, and place as notified by the director, shall forfeit application fees, and must reapply with a fee of fifteen dollars, which fee shall accompany his new application.

*Any person holding a current manager-operator license of this state issued under the provisions of chapter 18.18 RCW shall be deemed qualified to apply to the director to be examined for a license to practice barbering, pursuant to the provisions of this chapter: PROVIDED, That any such applicant who fails said examination must then enroll in a licensed barber school of this state and complete a course of instruction of not less than two hundred fifty hours before applying to be reexamined for a barber license. The curriculum for such course of instruction shall be determined by the barber examining committee and approved by the director.*

**NEW SECTION.** Sec. 3. There is added to chapter 18.15 RCW a new section to read as follows:

Any person with a permit to barber in this state who is indentured as a barber apprentice pursuant to chapter 49.04 RCW and who has successfully completed the related training course as approved by the barber examining committee and the state department of labor and industries, apprenticeship council, and who has served the required number of months under the direct supervision of a licensed barber of this state as provided in this chapter, shall be deemed qualified to receive a license to practice barbering in this state without a final examination. Upon application and payment of a sum equal to the annual license renewal fee, the director shall issue him a license to practice as a barber in this state: PROVIDED, That the applicant meets all of the other requirements of this chapter.

Sec. 4. Section 7, chapter 75, Laws of 1923 as last amended by section 2, chapter 266, Laws of 1971 ex. sess. and RCW 18.15.060 are each amended to read as follows:

Every person licensed as a barber *or a permit barber* shall pay an annual license fee of not [more] less than [ten] *five dollars nor more than fifteen* dollars, [to be determined by the director as provided in RCW 43.24.085,] for a license *or permit* renewal certificate on or before the thirtieth day of June each year. *The annual license and permit renewal fee shall be determined by the director under the provisions of chapter 34.04 RCW.* Failure to pay the annual license *or permit* renewal fees before delinquency shall work a forfeiture of the license *or permit*, but the license *or permit* may be renewed within three years thereafter without examination upon application therefor by the licentiate *or permittee*, and payment of a fee of fifteen dollars plus all lapsed fees. Should the licentiate *or permittee* allow his license *or permit* to elapse for more than three years, he must be reexamined as for a new license *or permit*.

Sec. 5. Section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065 are each amended to read as follows:

It shall be unlawful for any firm, corporation, or person to operate a barber shop without a shop location license for each barber shop. Application therefor shall be made to the director of [licenses] *motor vehicles*. Each application for a license shall be accompanied by a fee of [four] *twenty-five* dollars.

Upon receipt of the application and fee, the director shall issue a shop location license, if the barber shop meets the requirements of this chapter. Each license shall be issued for the shop and persons named in the application. Application for the transfer or assignment of a shop location license shall be upon such form as the director shall prescribe, and application shall be made within ten days of the sale or transfer. Upon the receipt of the application and a fee of [four] *twenty-five* dollars, the director shall assign or transfer the shop location license, if the assignee or transferee and the barber shop meets the requirements of this chapter. If the application for transfer or assignment is not made within ten days, [an inspection] *a penalty* fee of twenty-five dollars will be made, prior to issuance of a license.

All licenses issued under this section shall expire on the first day of July next succeeding the date of issue. Each such license shall be renewable annually on or before the expiration date, and the application for renewal shall be accompanied by a fee of four dollars. Failure to obtain a renewal before delinquency shall work a forfeiture of the shop location license, but the license may be reinstated at any time after forfeiture upon the payment of the annual renewal fee, together with a penalty fee of twenty-five dollars, upon satisfactory inspection.

Sec. 6. Section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090 are each amended to read as follows:

Any firm, corporation or person desiring to conduct or operate a barber school or barber college in this state shall first secure from the director of [licenses] *motor vehicles* a permit to do so, and shall keep the same prominently displayed. No barber school or college shall be issued a permit by the director of [licenses] *motor vehicles* unless such school or college is financially responsible, and will be able in the judgment of the director [of licenses] to carry out and perform any contract made for the instruction of students therein.

Such school or college shall instruct students therein in the practice of barbering, including shaving and cutting of the hair and beard, and the various services incident thereto, preparation and care of tools used, sanitation as applied to barbering, knowledge concerning the common diseases of the face and skin to avoid aggravation and spreading thereof in the practice of barbering, and the use of chemicals, creams, lotions, and solutions as applied in the practice of barbering. Such barber school or college shall be managed and operated by a barber duly licensed as a manager-instructor under the provisions of this chapter, and shall at all times, while open and in operation, be in charge and under the direct supervision of a barber duly licensed as an instructor or *manager-instructor* under the provisions of this chapter[.].

*Every school or college shall at all times maintain one barber duly licensed as a manager-instructor or instructor, and there shall be at least one such licensed instructor or manager-instructor for each twenty students or fraction thereof, in attendance; and there shall be at least one such instructor or manager-instructor on the floor at all times when the barber school or college is open to serve the public, which said instructor or manager-instructor shall devote his entire time to the instruction of students therein and who shall at no time operate any particular barber's chair in such school or college, or practice any barbering therein except while giving instructions to a student therein. Every such school or college shall at all times maintain on each window therein, facing upon any street, a sign in plain letters at least six inches high composed of the words "barber school" or "barber college," placed as nearly as practicable in the center between top and bottom of any such window, and, if desired by the manager-instructor of such school or college, underneath these words, a sign with letters no greater in size, composed of the words "shaving" and/or "hair cutting," giving the price charged; and such school or college shall not at any time keep or maintain upon any of the windows or doors of such school or college, or use in any advertisement, any sign or words "barber shop," "expert barbering," or other similar words, or display any barber pole or barber pole stripes such as has long been used to designate a barber shop, or barber shop services as distinguished from services performed by student barbers in such school or college. Every such school or college, at all times when open for business, shall place and maintain upon the floor within its premises in front of each entrance a standing floor sign composed of the words "student barbers perform all services herein" painted in three-inch red letters upon a white standing floor sign thirty inches high and twenty inches wide, and designed as prescribed by the director [of licenses]. The director [of licenses] shall revoke the license of any school or college which shall violate any of the provisions of this chapter, or which shall fail to impart to each student in such school or college the instructions herein required.*

No barber school or college shall be operated unless it is under the control of a barber licensed as a manager-instructor. Each applicant for a manager-instructor's license shall submit an application to the director on such forms as it may prescribe. The qualifications for such a license, [examinations,] license fees and license renewal fees shall be the same as those prescribed for an instructor's license. *The examination for a manager-instructor's license, shall in addition to the requirements for an instructor's license, include business management as related to barber shops and barber schools, state laws and regulations relating to the operation of barber schools and barbering, and such other subjects relating to the operation of barber schools or colleges as the examining committee may prescribe.* The name and designation of the licensee as manager-instructor shall appear on each school or college location license issued by the director. A manager-instructor's license shall stand revoked if not used for a period of two years, after which time licentiate must be reexamined as for a new license.

Sec. 7. Section 13, chapter 223, Laws of 1967 and RCW 18.15.097 are each amended to read as follows:

No person shall engage in teaching or instructing in barber schools or colleges without an instructor's license issued by the director. Each applicant for an instructor's license shall submit an application to the director on such forms as [it] *he* may prescribe, and must comply with the following qualifications: (1) Each applicant must be at least twenty-five years of age; (2) must be of good health; (3) must be of good moral character; (4) must have had at least five years of experience as a licensed barber of this state in a licensed barber shop of this state immediately preceding application; (5) must have a current barber license; (6) must have at least a [tenth] *twelfth* grade education or be capable of proving an equivalent education as determined by the board for vocational education and local schools; (7) each applicant must take an examination administered by the examining committee. The examination shall cover such subjects as are usually taught in barber schools and colleges in practical and theory work; (8) such applicant shall be required to demonstrate to the barber examining committee his professional skill and ability in performing all of the barbering services as required by this chapter. Applications for an instructor's license must be made before becoming engaged in teaching or instructing, but applicant may be permitted to engage in teaching or instructing for a period of not more than sixty days, at which time he must present himself for examination. The fee for such license and examination shall be [twenty-five] *fifty* dollars. Each license shall be renewed on or before July 1st; the renewal fee shall be twenty-five dollars. If application for a renewal is not received on or before July 1st, the renewal fee shall be twenty-five dollars plus a penalty of twenty-five dollars. The instructor's license shall stand revoked if not used for a period of two years, and an examination as for a new license will be required before a license will be reissued.

Any person engaged as an instructor or manager-instructor on effective date of this chapter, in a barber school or college of this state, shall be issued a license under this section upon payment of the fees herein prescribed.

Sec. 8. Section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100 are each amended to read as follows:

It shall be unlawful for any person to study the practice of barbering in any barber school or barber college authorized under this chapter unless he shall first have obtained and holds a valid student barber certificate issued pursuant to this chapter. Any person of good moral character, free from contagious or infectious disease, at least eighteen years of age, and showing completion of the tenth grade, or has an equivalent education as determined by the director whose determination shall be conclusive, shall be deemed qualified to make an application for and be entitled to obtain a student barber certificate authorizing him to study the practice of barbering in any barber school or barber college in this state. Application therefor shall be made to the director [of licenses]. Each application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens living in the community in which the applicant now resides or has recently resided, that he is of good moral character. Each application shall be accompanied by two signed photographs of the applicant. Every such applicant shall pay a fee of five dollars, which fee shall accompany his application. The director [of licenses] upon the receipt of such application and fee shall issue to each qualified applicant a student barber certificate which shall be valid for one year from the date of its issue, and which shall be subject to one renewal thereafter upon the payment of a fee of five dollars: PROVIDED, That any student barber holding (1) a valid student barber certificate, and (2) a graduation certificate from any barber school or barber college authorized under this chapter shall be deemed qualified to make application for a permit to practice barbering in this state. Application therefor shall be made to the director [of licenses]. Each applicant shall pay a fee of twenty-five dollars *plus an amount equal to the annual renewal fee*, which fee shall accompany his application. The director [of licenses] upon the receipt of such application and fee shall notify the applicant of the particular date, city, and place where he is to appear for his examination for a permit to practice barbering in this state. Failure of applicant to appear for said examination will cause a forfeiture of fees.

Sec. 9. Section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110 are each amended to read as follows:

It shall be unlawful for any barber school or barber college authorized under this



chapter to grant admission to or instruct any person in the practice of barbering therein unless such person then holds a valid student barber certificate issued under this chapter. Every such barber school or barber college shall require as a prerequisite to graduation therefrom the completion of a course of instruction and practice therein of not less than [one thousand two hundred forty-eight] *two thousand* hours, to be completed in not less than [eight] *twelve* consecutive months time nor more than [sixteen] *twenty-four* months' time from the date of the admission of such barber student. Such course of instruction and practice shall include, in addition to the subjects and practice hereinbefore prescribed, instruction in the following subjects: (1) Scientific fundamentals of barbering [, as set forth with particularity in the latest revised edition of either of the following textbooks: (a) "Standardized Textbook of Barbering", published by the Associated Master Barbers of America, Chicago, Illinois, or (b) "Textbook of Practical and Scientific Barbering", published by the Journeyman Barbers, Educational Department, Indianapolis, Indiana]; (2) histology of the hair, skin and scalp; (3) structure of the head, face and neck; (4) coloring and bleaching the hair; [and] (5) use of chemicals, creams, lotions and solutions as applied in the practice of barbering[.]: (6) *advanced barbering and men's hairstyling including temporary and permanent waving of the hair; (7) fitting of wigs, webs, and hair pieces; and (8) scientific chemistry for conditioning, reconditioning, or restructuring of hair.*

*Any basic text book, or text books, may be used in barber schools and colleges, however, a specific text book (or text books) as recommended by the barber examining committee and designated by the director in accordance with the provisions of chapter 34.04 RCW shall be used in the preparation of examinations.*

*A detailed curriculum approved by the barber examining committee and adopted by the director in accordance with the provisions of chapter 34.04 RCW shall be followed by all barber schools and colleges.*

Each student barber upon the satisfactory completion of the said prescribed course of instruction and practice shall be issued a graduation certificate from such barber school or barber college. Each such graduate student shall be furnished a certified copy of his graduation certificate by such barber school or barber college for his use in filing his application for a permit to practice barbering in this state as hereinbefore provided.

**NEW SECTION.** Sec. 10. There is added to chapter 18.15 RCW a new section to read as follows:

The legislature finds that there is a distinct difference between the practice of barbering and the practice of men's hairstyling.

The legislature further finds that it is necessary to distinguish between the two practices to enable those persons currently within the profession of barbering to advance themselves professionally to become duly certified men's hairstylists and recognized as such. Therefore, it shall be the policy of the state to make laws regulating the practice of men's hairstyling.

**NEW SECTION.** Sec. 11. There is added to chapter 18.15 RCW a new section to read as follows:

In addition to the practice of barbering any one or any combination of the following practices when done upon the upper part of the human male body for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, either directly or indirectly, or without payment constitutes the practice of men's hairstyling: Straightening, curling, temporary waving, permanent waving, bleaching, or applying chemicals as related to men's hairstyling, or doing similar work thereon by the use of the hands or any method of mechanical application or appliances.

**NEW SECTION.** Sec. 12. There is added to chapter 18.15 RCW a new section to read as follows:

Any person duly licensed as a barber in this state, and who has satisfactorily completed a course of instruction in the practice of men's hairstyling as approved by the barber examining committee, shall be entitled to make application to be examined for a Washington state men's hairstyling certificate. Fee for such examination and certificate shall be fifty dollars; application and fee to be submitted to the director at least fifteen days prior to an examination date. Any applicant for a certificate under

this chapter who secures a grade in each branch of not less than seventy-five percent in his examination and who demonstrates to the satisfaction of the examining committee that he possesses the required professional skill and ability to properly perform each of the said men's hairstyling services, shall be entitled to receive, and the director shall issue to him an official Washington state men's hairstyling certificate, recognizing him as a certified men's hairstylist, and when accompanied by a current barber license of this state, shall entitle him to practice men's hairstyling.

PROVIDED, That persons engaged in the practice of men's hairstyling under this chapter are authorized to perform body waving and permanent waving to the extent necessary to style or arrange the hair on male patrons, but persons engaged in the practice of men's hairstyling under this chapter are not authorized to otherwise engage in the practice of cosmetology unless such person is licensed under chapter 18.18 RCW.

*NEW SECTION.* Sec. 13. There is added to chapter 18.15 RCW a new section to read as follows:

The barber examining committee shall prescribe the curriculum and examination for a men's hairstyling certificate in accordance with the provisions of chapter 34.04 RCW.

*NEW SECTION.* Sec. 14. There is added to chapter 18.15 RCW a new section to read as follows:

The barber examining committee shall adopt such reasonable rules and regulations as necessary to regulate the practice of men's hairstyling under this chapter pursuant to chapter 34.04 RCW.

*NEW SECTION.* Sec. 15. There is added to chapter 18.15 RCW a new section to read as follows:

The committee, with the approval of the director, shall meet at least once annually with the manager-instructors and/or instructors of each barber school or barber college in this state to discuss current trends and examinations.

Sec. 16."

Re-number the following sections accordingly.

In line 1 of the title following "professions;" and before "amending" insert the following: "amending section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957 and RCW 18.15.010; amending section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050; amending section 7, chapter 75, Laws of 1923 as last amended by section 2, chapter 266, Laws of 1971 ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065; amending section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090; amending section 13, chapter 223, Laws of 1967 and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110;".

#### POINT OF INQUIRY

Senator Day: "Would Senator Durkan yield to a question? On page 9, line 11, you have raised the entrance requirements here from the tenth grade to the twelfth grade. Why, Senator?"

Senator Durkan: "That was an issue that was in the House and it was, the question of whether or not they should have a high school education is one which they were trying to upgrade their profession. Now I can understand the problem that some of us thought that there are those who do not have to go to high school to understand how to cut hair. I noted to you, Senator, and have said to the others that when this bill reaches the House, I would not mind an amendment that would see to it that under certain circumstances the Director of Motor Vehicles would have the right to waive. The only thing is I do not think that you should just arbitrarily knock the years back. I think that if there is a particular instance

where a person who wants to cut hair or wants to be a stylist or wants to work in a beauty salon and does not have the education but shows the desire, that he or she should be able to, but otherwise the question of the high school education does not disturb me that much. But it is not that important to me nor is it to the members of the profession that this important legislation be held up. If you wish to offer your . . . .”

Senator Day: “Is it on second reading, Senator?”

Senator Durkan: “Yes, unfortunately.”

Senator Day moved adoption of the following amendment by Senators Day and Rasmussen to the amendment by Senator Durkan:

On page 9, section 7, line 11 of the amendment strike “[tenth] *twelfth*” and insert “tenth”.

#### POINT OF INQUIRY

Senator Ridder: “Will the GED be acceptable in this case also? When you say a tenth grade education, have we figured in the GED?”

Senator Day: “Yes.”

Debate ensued.

#### MOTION

On motion of Senator Greive, Senate Bill No. 2088, together with the adopted committee amendments, the proposed amendment by Senator Durkan, and the amendment to the Durkan amendment by Senators Day and Rasmussen, was ordered placed at the beginning of the second reading calendar for Thursday, March 22, 1973.

#### MOTION

At 3:50 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, March 22, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FOURTEENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, March 22, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Rasmussen, Walgren and Woodall.

The Color Guard, consisting of Pages Paul Goetz and Thalia Bissenas, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

“ALMIGHTY GOD, GIVER OF EVERY GOOD AND PERFECT GIFT, FOR THIS MIGHTY AND MYSTERIOUS UNIVERSE IN WHICH WE LIVE; FOR THE GOOD EARTH WHICH PROVIDES US WITH ALL OUR BODILY NEEDS, WE THANK THEE. FOR THE WORLD WITHIN, THE VAST POTENTIALS OF THE MIND, FOR THE GIFTS OF DISCERNMENT AND VISION, FOR THE SILENT SPACES OF THE SOUL, WE THANK THEE. FOR THE GIFT OF LIFE AND THE ABILITY TO ENJOY IT AND USE IT IN SERVICE OF THEE AND OUR FELLOW MAN, WE THANK THEE. HELP US NOW TO EXPECT GREAT THINGS FROM THEE AND ATTEMPT GREAT THINGS FOR THEE. THROUGH CHRIST OUR LORD. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

March 21, 1973.

SENATE BILL NO. 2274, authorizing certain applicants holding licenses to practice dentistry in other countries to take state examination to practice dentistry (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Murray, Woodall.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2366, relating to legislative redistricting (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Washington.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2584, fixing compensation of diking district commissioners for labor other than attendance at meetings (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Talley.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2603, setting forth state economic impact act seeking to offset economic consequences of closing state institutions and services (reported by Committee on Social and Health Services):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Herr, Jones, Keefe, Murray.

There being no objection, Senate Bill No. 2603 was referred to the Committee on Ways and Means.

March 19, 1973.

SENATE BILL NO. 2621, implementing the laws relating to snowmobiles (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Henry, Vice Chairman; Guess, Knoblauch, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2882, requiring disclosure of zoning and use of real property in conveyances thereof (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

March 21, 1973.

SENATE BILL NO. 2890, setting forth rights to property utilized by the Southwest Washington fair and transferring certain property (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

March 21, 1973.

ENGROSSED HOUSE BILL NO. 204, requiring disclosure of certain financial interests by medical practitioners (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Murray, Twigg, Woodall.

Passed to Committee on Rules for second reading.

March 21, 1973.

ENGROSSED HOUSE BILL NO. 460, authorizing mayors to designate a representative to fill their position on municipal firemen's pension boards (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Talley.  
Passed to Committee on Rules for second reading.

## MESSAGE FROM THE GOVERNOR

Office of the Governor, March 21, 1973.  
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 21, 1973, Governor Evans approved the following Senate Bill entitled:

    SUBSTITUTE SENATE BILL NO. 2037: Regulating the movement of farm vehicles and implements.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

## MESSAGES FROM THE HOUSE

March 21, 1973.

Mr. President: The Speaker has signed:

    SENATE BILL NO. 2054,

    SENATE BILL NO. 2111,

    SENATE BILL NO. 2176, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 21, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 601, and the Senate amendment thereto, and the Speaker has appointed as members of the Conference Committee thereon: Representatives Clemente, Brown and Parker.

DEAN R. FOSTER, Chief Clerk.

March 21, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 42, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 21, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 304, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

    SENATE BILL NO. 2901, by Senators Woodall, Henry and Day:

    An Act relating to the protection of children; amending section 3, chapter 13, Laws of 1965 as last amended by section 1, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.030; amending section 5, chapter 13, Laws of 1965 as last amended by section 15, chapter 302, Laws of 1971 ex. sess. and RCW 26.44.050; amending section 6, chapter 13, Laws of 1965 and RCW 26.44.060; amending section 6, chapter 35, Laws of 1969 ex. sess. as amended by section 1, chapter 46, Laws of 1972 ex. sess. and RCW 26.44.070; amending section 3, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.080; amending section 3,

chapter 30, Laws of 1965 as amended by section 66, chapter 292, Laws of 1971 ex. sess. and RCW 74.13.020; and amending section 17, chapter 172, Laws of 1967 and RCW 74.13.031.

Referred to Judiciary Committee.

SENATE BILL NO. 2902, by Senators Dore, Van Hollebeke, Woody and Mardesich:  
An Act relating to financial institutions.

Referred to Committee on Financial Institutions.

There being no objection, additional sponsors were permitted on Senate Bill No. 2902.

SENATE BILL NO. 2903, by Senator Dore:

An Act relating to financial institutions.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2904, by Senator Dore:

An Act relating to savings and loan associations.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2905, by Senator Washington:

An Act relating to archeology; and making an appropriation.

Referred to Committee on Ecology.

SENATE BILL NO. 2906, by Senator Washington:

An Act relating to the environment.

Referred to Committee on Ecology.

SENATE BILL NO. 2907, by Senator Day:

An Act relating to licensure reciprocity of physicians and surgeons; and adding new sections to chapter 18.71 RCW.

Referred to Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 124, by Senators Peterson (Lowell) and Peterson (Ted) (by Interim Committee on Fisheries, Game and Game Fish request):

Requesting the Congress and administration to successfully conclude the law of the sea conference.

Referred to Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 126, by Senators Peterson (Ted), Francis, Clarke and Washington:

Directing the judicial council to study the present law relating to community property agreements.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Concurrent Resolution No. 126.

#### MOTIONS

On motion of Senator Atwood, Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Friday, March 23, 1973.

On motion of Senator Mardesich, the Senate immediately commenced consideration of House Joint Resolution No. 10.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 10, by Representatives North (Lois), Chatalas, Swayze, Charnley, Bluechel, Kilbury, Fortson, Thompson, Wojahn, Rabel, Goltz, Savage, King, Erickson, Valle, Williams, Ellis, Sommers, Maxie, North (Frances), Hayner, Patterson,

Leckenby, Blair, Smythe, Ceccarelli and Shinpoch (by Executive request and Washington State Women's Council request):

Ratifying federal equal rights amendment.

Senators Mardesich, Bailey and Peterson (Ted) demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

#### MOTION

Senator Atwood moved that Senator Woodall be excused.

Senator Guess objected.

The motion by Senator Atwood carried on a rising vote.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Woodall who was excused.

The resolution was read the second time in full.

Senator Metcalf moved adoption of the following amendments:

On page 1, section 2, line 22, after "Congress" insert "and the several states" and after "power" insert "within their jurisdictions."

#### POINT OF ORDER

Senator Washington: "I raise the point of order whether or not it is possible for a state to amend an amendment to the United States Constitution, which according to the United States Constitution must be started by the Congress and then sent to the states for ratification. believe the provision is that it be sent for ratification, not for ratification and amendment."

#### POINT OF ORDER

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#### RULING BY THE PRESIDENT

The President: "The President wishes to assure Senator Greive especially that the President has given great consideration to this matter. In ruling upon the point as presented by Senator Washington, the President in examining House Joint Resolution No. 10 finds that lines 8 through 25 are merely informative of the language contained in the proposed amendment to the Constitution as drafted by the Congress of the United States. HJR No. 10 embodies this language for the purpose of apprising the members of the House and the Senate of our legislature of the language of the proposal. The substance of HJR No. 10 is contained in lines 26 and 27 on page 1 of the measure and on line 1, page 2 thereof. A reading of these lines indicates that the scope and object of the joint resolution is extremely limited and that the sole question is the ratification of the proposed constitutional amendment. To attempt to change the language of Congress would obviously change the scope and object of the joint resolution. Also it would be an attempt to ratify a proposal to change the Constitution, which proposal Congress has not made. It seems that the proposed amendment of Senator Metcalf would have been appropriate on the floor of the Congress, but not on the floor of the Washington State Senate. The point as presented by Senator Washington is well taken."

The amendment by Senator Metcalf was ruled out of order.



Senator Metcalf moved adoption of the following amendment:

On page 1, line 27, after "be" strike the comma and the rest of the sentence and insert: "ratified by the legislature of the State of Washington, provided that section 2 is amended as follows: "The Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation."

#### POINT OF ORDER

Senator Washington: "I raise the same point of order on this amendment as I did on the previous amendment on the basis that it does extend the scope and object of the resolution and on the further grounds that a state legislature does not have the power to amend an amendment proposed by the Congress."

#### PARLIAMENTARY INQUIRY

Senator Bottiger: "The scope and object that the Chair is using, is that part of the Senate rules?"

#### REPLY BY THE PRESIDENT

The President: "It is a part of the state Constitution, Senator Bottiger."

#### RULING BY THE PRESIDENT

The President: "The President believes that the substance of the previous ruling applies to the second amendment proposed by Senator Metcalf, and therefore the point by Senator Washington is well taken."

The amendment by Senator Metcalf was ruled out of order.  
Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Metcalf: "Mr. President, I am sorry that I was engaged in conversation at the time that you ruled. Did you rule that we do not have the power in this body to make a qualified ratification or to amend line 27?"

#### REPLY BY THE PRESIDENT

The President: "The President believes, Senator Metcalf, that this body has the right to do anything it chooses if the majority prevails. However, when the point of order was presented by Senator Washington that your amendment increased the scope and object, the President stated in his remarks that the substance of House Joint Resolution No. 10 is contained in lines 26 and 27 on page 1 of the measure and on line 1, page 2 thereof. A reading of these lines indicates the scope and object of HJR No. 10. The President will read, starting on line 26:

"Now, therefore, be it resolved that said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of Washington." The President believes that the scope and the object of this measure is quite explicit and is aimed at one target, and the Senate may in its judgment either ratify or reject the resolution."

#### PARLIAMENTARY INQUIRY

Senator Clarke: "If the proposed amendment by Senator Metcalf had in fact been offered with respect to lines 26 through line 1 on the second page in order to make the ratification a conditional ratification instead of the ratification as originally proposed—I am not asking you to rule in advance, but I would assume that a different situation at least would then be presented for your consideration."

## POINT OF ORDER

Senator Woody: "Quite respectfully, I address your attention to section 19 of Article II, which states no bill shall embrace more than one subject and that shall be expressed in the title. I suggest that we are not concerned here with a bill. We are concerned here with a resolution. Therefore, scope and object is not material."

## REPLY BY THE PRESIDENT

The President: "The joint rules of the legislature are quite explicit on the point, Senator Woody. Inasmuch as a House joint resolution shall take the same course as a bill up to and until the time the President signs it."

## REMARKS BY SENATOR CLARKE

Senator Clarke: "Mr. President, referring to my previous remarks, Senator Metcalf has now pointed out that the amendment, which as I understand it that is now before the body, does relate to lines 26 to 27 which is, as the President has pointed out, the very thing that this body is doing and therefore this amendment would appear not to be within the scope of your original ruling because it does specifically relate to exactly what the body is doing and that is either ratifying or not ratifying and it is changing that so that the ratification is conditional."

## PARLIAMENTARY INQUIRY

Senator Francis: "Is there any amendment before us at this time?"

## REPLY BY THE PRESIDENT

The President: "In the opinion of the President, there is not any amendment before you, Senator Francis."

## RULING BY THE PRESIDENT

The President: "The President wishes to state once again that in his opinion the substance of the resolution is in lines 26 and 27. The point is that you ratify the proposed amendment made by Congress. The President wishes to respectfully advise the members of the Senate that there is no particular pride of authorship in the ruling on the point presented by Senator Washington and if a majority of the body wishes to reverse the decision, the President believes that would be quite in order."

## REMARKS BY SENATOR WOODY

Senator Woody: "Rather than that I would move that, solely for the purpose of consideration of HJR 10, the Senate not be bound by the existing joint rules as to scope and object."

## REPLY BY THE PRESIDENT

The President: "The President cannot revoke the State Constitution, Senator Woody."

## PARLIAMENTARY INQUIRY

Senator Woody: "Then I am still trying to read this and understand it, but it says 'no bill' and I am wondering whether that would include that resolution in the Constitution?"

## REPLY BY THE PRESIDENT

The President: "In the President's mind, it does. Section 38 of the State Constitution, page 62, 'Limitation on Amendments, No amendment to any bill shall be allowed which shall change the scope and object of the bill.'"

## REMARKS BY SENATOR JOLLY

Senator Jolly: "Mr. President and gentlemen of the Senate, we are wasting a lot of time here and as Senator Metcalf said, no state can vote against their other vote so we might just as well go ahead with this resolution and vote yes or no and forget about all these amendments because it is just the same as a yes or no vote anyway."

## REPLY BY THE PRESIDENT

The President: "The President believes your remarks are well taken, Senator Jolly."

## PARLIAMENTARY INQUIRY

Senator Guess: "I would like to ask a question as to the statement you made a few minutes ago about the joint rules. I have reference to Rule 33, and it says that the permanent joint rules adopted at the regular session shall govern any special session called during the same biennium. Now, can we carry over to the special session without a resolution that joint rule, even though it says this? It seems to me that we have not carried over a bill from the regular session to the special session."

## REPLY BY THE PRESIDENT

The President: "Senator Guess, the President respectfully points out that this is the First Extraordinary session of the Forty-third Washington State Legislature. Subsequent special sessions, if called, will be referred to as Two, Three, Four, etc. This is a continuation of the Forty-third Legislative Session."

## PARLIAMENTARY INQUIRY

Senator Guess: "Mr. President, do the joint rules carry over?"

## REPLY BY THE PRESIDENT

The President: "The joint rules carry over. The President has ruled thusly on several occasions."

Senator Guess: "I point out though that the bills which we had died after sine die adjournment."

## REMARKS BY SENATOR HENRY

Senator Henry: "I would like to point out to Senator Guess that the decision made by the President was not made under the joint rules. It was made under Section 38 of the Constitution on page 62. There is no way that we can abrogate that or that this body can abrogate it."

## MOTION

On motion of Senator Durkan, House Joint Resolution No. 10 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Fleming: "I would like to ask Senator Francis a question or two. I will phrase it in two. I would like to know whether the quote that Senator Bottiger read from Representative Griffiths was the same as you read; and secondly, on the several amendments, including the eighteenth amendment, I think that when I read those amendments and when we talked about them, I think we read something different in those. Could you address yourself?"

Senator Francis: "Senator Fleming, the two questions you raise definitely deserve a reply, and I think that they could affect some votes here and if they do not, I certainly think you want to know what you are voting on. With regard to the first point, I think that Senator Bottiger, and I say I think because I am not sure, but I think Senator Bottiger seriously misrepresented the facts and I do not mean that he did it deliberately. I think he inadvertently misread this quotation from Representative Griffiths. Now the letter he was reading from described Public Law 92-603 which passed in 1972. It is my position that the billion dollars that she was referring to was the cost of that law which has already been passed by Congress, and not the cost of the equal rights amendment. I would like to read to you the entire quote, which is brief, from which he selected a portion. Representative Martha Griffiths said, 'The effect of the equal rights amendment on the social security system should not necessitate an increase in present social security taxes since the total amount required to equalize the benefits between men and women is relatively insignificant and could be absorbed. The cost which most probably will be incurred in equalizing the benefits between men and women are scheduled for 1973 under Public Law 92-603 but were not made retroactive by such law. The initial cost is estimated at a billion dollars but this in itself would be gradually eliminated through passage of time. At most, officials from the social security administration estimate the amendments—they are talking about Public Law 92-603—'the amendments, if made retroactive, could call for an increase of one-tenth of one percent of the total social security tax. This could increase the present rate from five point eighty-five percent to five point ninety-five percent.' That is one-tenth of one percent increase.

"Now the only other point, and I think you should understand it. Senator Metcalf is sincere. I am convinced of that, since he continues to insist he is right. Senator Murray, you got very close to the point. The point with the eighteenth amendment is that the amendment was granting the states the power the states did not have, and that was the power to interfere with interstate commerce. States had been taken clear out of that and had been so held to not have any power in the area of interstate commerce, so you had to grant a power. Secondly, and Senator Metcalf, I now understand what you are saying. If you are saying that those amendments denied the states the right to, for instance, have slavery, you are absolutely correct. And this amendment will certainly deny states the right to have inequality in their laws. But if you mean whether or not states will have the power coequally with the federal government to enforce this law and to carry out the intent, then there is no question that states will continue to have the right to enforce equality before the law."

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Resolution No. 10, and the resolution passed the Senate by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Stortini, Talley, Walgren, Washington, Woody—29.

Voting nay: Senators Atwood, Bottiger, Clarke, Day, Durkan, Guess, Keefe, Lewis (Bob), Mardesich, Mattingly, Metcalf, Newschwander, Peterson (Ted), Rasmussen, Sellar, Twigg, Van Hollebeke, Wanamaker, Whetzel—19.

Excused: Senator Woodall—1.

HOUSE JOINT RESOLUTION NO. 10, having received the constitutional majority, was declared passed.

EXPLANATION OF VOTE ON HOUSE JOINT RESOLUTION NO. 10  
THE EQUAL RIGHTS AMENDMENT

March 22, 1973.

By Senator Jonathan Whetzel:

HJR No. 10 ratifies the Equal Rights Amendment to the United States Constitution that provides "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." Proponents of the amendment contend that it is necessary to amend the Constitution to eliminate economic and social discrimination of women as a result of state or federal governmental action.

The amendment follows in form the 19th Amendment to the Constitution that extended the right of vote to women. Women have subsequently participated with distinction in all branches of government. Certainly some of the most capable legislators who have served our state have been women. I have regretted that our Senate presently does not have a woman member. This is not due to lack of personal efforts on my behalf in the 1970 election to elect one of the most qualified candidates the state has ever had to the Senate. Subsequently I have worked and continued to work to encourage women to file for legislative office in my own and other legislative districts. However, the 19th Amendment ended legal impediments to political participation by women much more easily than the present amendment is likely to end economic and social discrimination. In fact, what the New York Times has called the "mischievous ambiguity" of the Equal Rights Amendment may create more problems and injustices than it provides just solutions.

The long continuing discrimination against women in employment, education, sports, property, and family law has been extensively documented. Many very intelligent, able, competent women have lived out frustrated lives of subordinate positions in their family or occupation. Efforts to alleviate this situation have given rise to one of the strongest and most powerful movements in American political and social life. I am aware of frustrations and discriminations and am in sympathy with the goals of the movement.

However, I am not persuaded the Equal Rights Amendment will accomplish these objectives better than state or federal legislation or utilization of present United States Constitution provisions.

With respect to state legislation the legislature has in recent years passed several major laws ending various forms of sex discrimination. I voted for each of these. In 1971 Ch. 81, Laws of 1971 1st Ex. Sess. prohibited sex discrimination in employment. In 1972 Ch. 108, Laws of 1972 1st Ex. Sess. gave a married woman equal control over management of community property and the right to sue in her own name. In the 1973 regular session the legislature passed Ch. 141, Laws of 1973 (HB 404 which passed the Senate 46 to 1) which ends sex discrimination in public accommodations, real estate, credit and insurance transactions, and prohibits denial of civil rights because of sex.

In 1972 the state adopted its own equal rights amendment, HJR 61, which has become the 61st Amendment to the state constitution. This passed the Senate on February 10, 1972 by a vote of 36 to 13. I voted for HJR 61.

In 1973 the legislature will almost surely pass SB 2502 of which I am a co-sponsor and which passed the Senate 47 to 0. This bill has 131 sections and runs over 100 pages. It modifies a great number of statutes to remove dissimilar treatment of men and women. This bill will clarify our statutes and eliminate the need for lawsuits in some cases challenging certain statutes under the state amendment.

This legislative and constitutional activity by the State of Washington is an indication that the state unaided by the Federal Equal Rights Amendment has been able to take care of and has moved on eliminating discrimination with respect to sex within the state's jurisdiction.

In recent years Congress has also been active in legislating away sex discrimination in employment opportunities, equal pay, education, public accommodations and denial of civil rights.

Congress has acted under its constitutional authority in interstate commerce and under the 14th Amendment. Although state courts and lower federal courts have held the Equal Protection Clause prevented discrimination on the basis of sex, the United States Supreme

Court did not apply the Equal Protection Clause to sex discrimination until in *Reed v. Reed* 30 L.Ed. 2nd 225, November 22, 1971 it struck down an Idaho statute giving preference to men over women in the administration of estates. Justice Burger's opinion for a unanimous court said "By providing dissimilar treatment for women and men who are thus similarly situated, the challenged section violates the Equal Protection Clause." The Equal Protection Clause of the United States Constitution in Article 14 provides "Nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

The *Reed* decision has taken away one of the principal arguments for the Equal Rights Amendment; namely, that the Equal Protection Clause would not be used to strike down sex discrimination or that its application would be severely limited by classification.

When the Federal Equal Rights Amendment was before Congress the proponents argued that since the Supreme Court had not extended the Equal Protection Clause to sex discrimination that a Constitutional Amendment was necessary. The Equal Rights Amendment was passed by the House of Representatives on October 12, 1971 prior to the *Reed* case although the Senate passed it on March 22, 1972 after the *Reed* case.

After studying the arguments of the proponents and opponents of the Equal Rights Amendment as best I can, it is my judgment that the standard proposed to be set by the Equal Rights Amendment is either identical to or so very close to the Equal Protection Clause that there is little or no difference. The legislative history and conflicting opinions of Constitutional law experts leave unclear what the Equal Rights Amendment will do. As stated by Paul A. Freund, Loeb Professor of Law at Harvard Law School (a bona fide liberal former New Deal lawyer and an opponent), in 6 Harvard Civil Liberties-Civil Rights Law Review 234 at p. 237 (March 1971) the question of interpretation is: "A mandate that equal rights under law shall not be denied or abridged by the United States or any state on account of sex can have either of two conceivable meanings. It can mean that any classification based on sex must be justified by some good (or very good, or compelling) reason, or it can mean that no such classification can pass muster. To this question there is no authoritative answer to be found in the congressional history of the proposed amendment . . ."

The legislative proponents have disagreed amongst themselves as to whether equality of rights under the law means an absolute undeviating standard in which men and women must be treated in all cases identically or whether it permits reasonable classifications for the protection of women. The article in 80 Yale Law Journal 871 (June 1971) co-authored by Professor Thomas I. Emerson, Lines Professor of Law at Yale Law School, (a bona fide liberal former New Deal lawyer and a proponent), admits "The articulation of a clear and cohesive position on the meaning and the impact of the proposal, which would furnish a basis for legislative debate and provide a guide to future interpretation, has not emerged from prior congressional consideration of the Equal Rights Amendment." I agree with Professor Emerson that there is confusion as to what the constitutional principle is which is being adopted by the Equal Rights Amendment.

Except for some female and male extremists, most of the proponents do not feel that there is established by the Equal Rights Amendment the principle of absolute equality in all things for men and women. In fact, when faced with the question as to whether the Equal Rights Amendment prohibits separate dormitories, institutional facilities, or rest rooms, the proponents say that such prohibition is not contemplated by the Equal Rights Amendment but is subject to a qualification in these situations to the case law right of privacy.

This qualification is very similar to our state legislative qualification that Ch. 81, Laws 1971 1st Ex. Sess. prohibiting sex discrimination in employment does not prohibit segregated rest rooms in industrial establishments.

Upon the adoption of the Federal Equal Rights Amendment the Congress, federal executive branch, and the federal judiciary will have to determine if the standard of the 14th Amendment Equal Protection Clause differs from the Equal Rights Amendment with respect to their laws, actions, and decisions. The legislative, executive and judicial branches of the State of Washington in addition, have to weigh their actions against the standard of the state amendment.

Professor Freund commenting on the *Reed* case has said: "In view of the *Reed* decision, however, I believe more strongly than ever that the subject should be left to be

worked out under the Equal Protection Clause, as are other questions of group classification. The Equal Protection guarantee, together with the legislative powers of Congress, is the best avenue to achieve meaningful equality of the sexes under law. This approach is greatly to be preferred to one that would force all the manifold legal relationships to men and women, from coverage under selective service to the obligation of family support, into a mold of mechanical unity." (Congressional Record March 22, 1972)

Consequently, I feel adoption of the Equal Rights Amendment with its unclear phrase "equality of rights" may in the future lead to unnecessary confusion and constant raising of questions before the various branches of government that a different standard than the Equal Protection Clause is contemplated. I do not think that this is the intent or a desirable result of the amendment, and I voted against it because of such uncertainty. In an ordinary law this uncertainty would be undesirable. It is far more undesirable in a federal constitutional amendment binding on the State of Washington, which the legislature and people of the State of Washington have relatively limited power by themselves to change or amend.

It has been difficult to analyze and consider logically and rationally the implication of the Equal Rights Amendment because it has become an important symbol to women of a long awaited end to discrimination regardless of legal implications. However, I believe whether or not there ever were an Equal Rights Amendment the time has come when discrimination has and must end by state and federal action. I pledge myself to continue to work to this end.

(signed) Senator Jonathan Whetzel.

#### MOTION

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar, of the Senate of the Apple Blossom Royalty from Wenatchee, Washington and appointed a special committee consisting of Senators Sellar, Matson, Mattingly, Washington, Jolly and Donohue to escort the honored guests to a place of honor upon the rostrum.

Senator Sellar introduced the guests and with leave of the Senate, business was suspended to permit Queen Deloma Ensley to address the Senate.

#### PRESIDENT'S PRIVILEGE

The President: "It is not often that we have such an abundance of feminine pulchritude in the Senate chamber as today. The President should like to present in behalf of the members of the Senate and the President certificates indicating that Queen Deloma is an ambassador of good will for the Evergreen State of Washington. And also a certificate, ambassador of good will for Princess Jill. And last, but not by any means least, another certificate indicating that Princess Cammi is an ambassador of good will. And the members of the Senate wish you members of royalty and you, Senator Sellar, and all of the people involved in the Wenatchee Apple Blossom Festival the best one ever in 1973. And thank you so much for coming."

The special committee escorted the Apple Blossom Royalty from the Senate Chamber.

#### SECOND READING

SENATE BILL NO. 2088, by Senators Francis, Peterson (Ted) and Herr:

Permitting cosmetologists to serve men and women.

The Senate resumed consideration of Senate Bill No. 2088. The committee amendments were adopted on Wednesday, March 21, 1973. An amendment by Senator Durkan was moved for adoption on that day and an amendment by Senators Day and

Rasmussen to the amendment by Senator Durkan had been moved for adoption on Wednesday, March 21, 1973.

The motion by Senator Day carried and the amendment to the amendment by Senator Durkan was adopted.

The motion by Senator Durkan carried and the amendment, as amended, was adopted.

On motion of Senator Durkan, the following amendment to the title was adopted:

On page 2, line 1, of the title, after "18.18.270;" and before "and" insert "adding new sections to chapter 18.15 RCW;"

On motion of Senator Durkan, Engrossed Senate Bill No. 2088 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2088, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Voting nay: Senator Ridder—1.

Absent or not voting: Senator Greive—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 2088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 291, by Representative Charette:

Prohibiting private appraising by assistant and deputy assessors.

On Friday, March 16, 1973, on reconsideration, the committee amendments were not adopted. On that day, Engrossed House Bill No. 291 failed to pass the Senate. On motion of Senator Henry on Friday, March 16, 1973, the Senate moved to reconsider Engrossed House Bill No. 291 and on motion of Senator Metcalf, Engrossed House Bill No. 291 was returned to second reading.

On motion of Senator Henry, the following amendment was adopted:

On page 1, section 1, line 13 of the engrossed bill, being the last line of the amendment to page 1, section 1, line 12 by the House Committee on Local Government, after "employed" and before the semicolon, insert "*without the written permission of the county assessor filed with the county auditor*".

On motion of Senator Atwood, Engrossed House Bill No. 291, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 291, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe,



Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—44.

Voting nay: Senator Whetzel—1.

Absent or not voting: Senators Connor, Greive, Twigg—3.

Excused: Senator Woodall—1.

INGROSSED HOUSE BILL NO. 291, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2139, by Senators Bottiger and Woodall (by Attorney General request):

Construing the consumer protection act to extend to any unfair practice, act, or method of a camping club in the conduct of its trade or commerce.

The Senate resumed consideration of Senate Bill No. 2139 and the pending amendment by Senator Donohue to page 1, section 1, line 10 that was moved adoption by Senator Odegaard on Wednesday, March 21, 1973.

There being no objection, the amendment by Senator Donohue was withdrawn.

On motion of Senator Bottiger, Senate Bill No. 2139 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

On motion of Senator Walgren, Senator Durkan was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2139, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Absent or not voting: Senator Dore—1.

Excused: Senators Durkan, Woodall—2.

SENATE BILL NO. 2139, having received the 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 Senator Mardesich, Senate Bill No. 2518 was ordered to hold its place on the second reading calendar for Friday, March 23, 1973.

#### SECOND READING

SENATE BILL NO. 2256, by Senators Bottiger, Clarke, Francis, Matson, Sellar, Jones and Fleming (by Department of Social and Health Services request):

Implementing the law of juvenile probation services.

## REPORT OF STANDING COMMITTEE

February 6, 1973.

SENATE BILL NO. 2256, implementing the law of juvenile probation services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendment:

On page 4, section 1, line 15, after "two" and before "its" strike "percent" and insert "[percent]".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Jones, Murray, Twigg, Woodall, Woody.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendment was adopted.

On motion of Senator Bottiger, Engrossed Senate Bill No. 2256 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2256, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanmaker, Washington, Whetzel, Woody—47.

Excused: Senators Durkan, Woodall—2.

ENGROSSED SENATE BILL NO. 2256, having received the 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

At 12:15 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

## SECOND READING

SENATE BILL NO. 2513, by Senators Talley and Twigg:

Raising salaries of county officials.

The Senate resumed consideration of Senate Bill No. 2513. The committee amendment to page 1, section 1, line 19 was moved for adoption on Wednesday, March 21, 1973. Senator Woodall on that day moved adoption of an amendment to the committee amendment.

There being no objection, the amendment by Senator Woodall to the committee amendment was withdrawn.

On motion of Senator Ridder, there being no objection, the committee amendment to page 1, section 1, line 19 was not adopted.

Senator Ridder moved adoption of the following amendment by Senator Fleming:

On page 1, section 1, line 19, after "dollars." strike the remainder of the section and insert "*The county legislative authority of such county is authorized to increase or decrease the salary of such office: PROVIDED, That the legislative authority of the county shall not reduce the salary of any official below the amount which such official was receiving on January 1, 1973.*"

Debate ensued.

## MOTION

On motion of Senator Bailey, Senate Bill No. 2513, together with the pending amendment by Senator Fleming, was ordered held for further consideration on Friday, March 23, 1973.

## SECOND READING

SENATE BILL NO. 2382, by Senator Woody (by Washington Judicial Retirement Board request):

Pertaining to judicial retirement benefits.

The Senate resumed consideration of Senate Bill No. 2382. On Wednesday, March 21, 1973, on motion of Senator Woody and with the consent of the Senate, the following amendment by Senator Francis was considered before the committee amendments:

Strike all of *NEW SECTION 1* and insert:

“Section 1. Section 15, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.150 are each amended to read as follows:

Every judge retired either for service or disability under the provisions of this chapter shall file a statement of income with the retirement board. Any retired judge who is receiving income from employment of any kind shall have his retirement allowance reduced by the amount that his combined retirement allowance and employment income exceed the current monthly salary being paid a judge of the same court in which the retired judge served immediately prior to his retirement: *PROVIDED, HOWEVER, That pro tempore service as a judge of a court of record shall not constitute employment as that term is used in this section and income from pro tempore service need not be reported to the retirement board. Pro tempore service shall be limited to not more than ninety days in any single year; and the combined retirement allowance of a retired judge together with his income as a pro tempore judge shall not exceed the salary being paid a judge of the same court in which the retired judge served immediately prior to his retirement.*

Failure to file or the filing of a false statement shall be grounds for cancellation of all benefits payable under this chapter.”

The motion by Senator Francis carried and the amendment was adopted.

On motion of Senator Woody, the committee amendment striking all of *NEW SECTION 1* was not adopted.

On motion of Senator Woody, the committee amendment striking entire *NEW SECTION 2* was adopted.

Senator Dore moved adoption of the following amendment:

Following line 11 add another section to read as follows:

“Sec. 2. Section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012 are each amended to read as follows:

Any judge of the supreme court, court of appeals, or superior court of this state who shall leave judicial service at any time after having served as a judge of any such courts for an aggregate of twelve years shall be eligible to a partial retirement pension in a percentage of the pension provided in this chapter as determined by the proportion his years of judicial service bears to eighteen and shall receive the same upon attainment of age seventy, or eighteen years after the commencement of such judicial service, whichever shall occur first. *For a judge involuntarily terminated from service who has served in excess of ten years, but less than twelve years, there shall be counted the time spent in service as a judge pro tempore under the provisions of RCW 2.08.180 at the rate of one two hundred-fiftieth of a year for each day engaged therein after January 1, 1973: PROVIDED, That such judge while so serving shall make payment into the pension fund as required of judges by RCW 2.12.060: PROVIDED FURTHER, That the total of such service credits and the judge's service prior thereto shall not exceed twelve years.*”

## POINT OF ORDER

Senator Francis: “Mr. President, I raise the question of the scope and object and I

would like to speak to that if I may. Mr. President, I know it has got to be up to you, and I know how you feel about the thing, and I for one do not want to be put in a position of having to vote against something that I agreed with on the original bill. I am kind of like Senator Woody. I think the bill was a good one, but we have passed it. I do not think it is appropriate to add it to this bill, which is also a good one and should stand separately, and I would rather, if it is appropriate to do so and it is so determined by the President, I think we should make a decision on the basis that it simply ought not to be a part of this bill because it is beyond the scope and object, rather than to get into the question of whether or not we are voting no on the same subject.”

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “The President in ruling upon the point of order finds that this bill deals with the salary schedule of pro tempore judges as compared with those that have retired voluntarily. The amendment by Senator Dore deals with a salary schedule or a retirement schedule of a judge that was retired involuntarily. Under the rulings as we have maintained them in the past, it is beyond the scope and object of the bill.”

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: “Just as a matter of information, let us assume that we had a bill that says ‘shall not be’ whatever and then you struck the ‘not’, would that be beyond the scope and object since you are changing the intent? This is much the same as the voluntary or involuntary. One is the opposite of the other.”

#### REPLY BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “My answer, Senator, is that you would be not enlarging the scope and object of the bill if you strike ‘not’. You are reducing it somewhat.”

The amendment by Senator Dore was ruled out of order.

On motion of Senator Woody, the committee amendments to the title were not adopted.

On motion of Senator Woody, the following amendments to the title by Senator Francis were adopted:

In line 2 of the title strike “repealing” and insert “amending”.

In line 3 of the title after “RCW 2.10.150” strike remainder of the paragraph down to and including the semicolon on line 4.

On motion of Senator Woody, Engrossed Senate Bill No. 2382 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2382, and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Francis, Gardner, Guess, Henry, Herr, Jolly, Keefe, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—39.

Voting nay: Senators Dore, Grant, Knoblauch, Lewis (Harry), Rasmussen—5.

Absent or not voting: Senators Fleming, Greive, Jones, Sellar—4.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 2382, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2473, by Senators Day and Scott:  
Regulating the practice of massage.

## MOTION

On motion of Senator Day, Substitute Senate Bill No. 2473 was substituted for Senate Bill No. 2473, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Gardner, the following amendments were adopted:

On page 3, section 5, line 1, after "surgery," insert "drugless therapy."

On page 4, section 8, line 19, after "(e)" strike "Who has furnished satisfactory proof" and insert "Proof, satisfactory to the board,".

On page 4, section 8, line 21, after "(f)" strike "Whose massage business" and insert "Evidence that the" and after "facilities" and before "comply" insert "of the applicant's massage business".

On motion of Senator Day, Engrossed Substitute Senate Bill No. 2473 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Day yield to a question? Senator Day, I note on page 1, 'massage' on line 7 means the treatment of the superficial parts of the body with or without the aid of mechanical or electrical devices or soaps, oils or lotions,' and then the part that concerns me, 'by rubbing, stroking, tapping and kneading.' Doesn't that interfere with the chiropractor's profession? Will you have to get a massage license?"

Senator Day: "No, the chiropractic is clearly a distinct application to the articulations of the spinal column. It has absolutely nothing to do with massage."

Senator Rasmussen: "In other words, Senator, the spinal column is not a superficial part of the body?"

Senator Day: "It certainly is not."

## POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Day further yield? Senator Day, on page 5, line 13, subsection 3, it reads that the director may deny issuance or renewal of the license if the licensee in subsection 3 has displayed improper, unprofessional or dishonorable conduct in the practice of massage. Could you elaborate as to what you are getting at?"

Senator Day: "I think that is obvious, Senator, to most of us, and it is standard language in all of these acts. What it does is give the director the authority to not license a person who for some reason is not qualified for a license."

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Gardner yield to a question? Would this massage bill have anything to do with the people that rent out or loan out their sauna for the use of other people?"

Senator Gardner: "I do not have one, if that is what you are wondering. Not to my knowledge. I am not really familiar with the bill, however, Senator Rasmussen."

## POINT OF INQUIRY

Senator Rasmussen: "Senator Day, would you yield to a question? Senator Day, is there anything. . . ."

Senator Day: "No, I think you will find that that is exempted in the bill, Senator, as

are the professions that are exempted from this, a nurse can still massage your back in the hospital, and your neighbor if you are sick can come over and massage your back, or your arm if it was aching, and there would not be anything in the bill to preclude that.”

Senator Rasmussen: “You could still loan your sauna to somebody else?”

Senator Day: “I would say so.”

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2473, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Absent or not voting: Senators Fleming, Greive, Keefe, Sellar—4.

Excused: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2473, having received the 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 Senator Ridder, there being no objection, the Senate resumed consideration of Senate Bill No. 2513.

#### SECOND READING

SENATE BILL NO. 2513, by Senators Talley and Twigg:

Raising salaries of county officials.

The Senate resumed consideration of Senate Bill No. 2513. On motion of Senator Ridder, earlier in the day, the committee amendment to page 1, section 1, line 19 was not adopted. On motion of Senator Ridder, an amendment by Senator Fleming to page 1, section 1, line 19 was moved for adoption earlier in the day.

The motion by Senator Ridder carried and the amendment by Senator Fleming to page 1, section 1, line 19 was adopted.

Senator Fleming moved adoption of the committee amendment to page 4, section 3, beginning on line 19.

#### POINT OF INQUIRY

Senator Rasmussen: “Would Senator Fleming yield? That is something new, Senator Fleming. The salary is set by the Constitution. I did not notice that.”

Senator Fleming: “Maybe I am stating it wrong, but from my understanding when we talked to the attorneys, that the county elected officials cannot set the prosecuting attorney’s salary and in particular in King County under the home rule situation the prosecuting attorney’s salary is not set by the county officials. It is set by statute.”

Senator Rasmussen: “Originally, yes, but not any more. We have increased the salary here in this legislature.”

Senator Fleming: “Not King County.”

Senator Rasmussen: “Yes, absolutely.”

Senator Fleming: “Okay, we are setting it but . . .”

Senator Rasmussen: “We have always set the salary.”

Senator Fleming: “Yes, we have, but the county council cannot set it and that is why

we are putting his salary in here, and we are letting the county council set the other county employees' salaries and in the future set theirs, but they cannot set the prosecuting attorney's salary. We set that. That is why we have this in here for double A counties."

## REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "I think the basis for that, Senator, is that the state pays half of the salary."

Senator Fleming: "They pay half of the salary. Right. It is a constitutional office, and we pay half of the salary, and I mistakenly stated it. Yes, we do. On the prosecuting attorney we do, too."

The motion by Senator Fleming carried and the committee amendment to page 4, section 2, beginning on line 19 was adopted.

On motion of Senator Ridder, the committee amendment to page 6, section 2, beginning on line 28 was not adopted.

On motion of Senator Ridder, the following amendment by Senator Fleming was adopted:

On page 6, section 2, beginning on line 28, strike all of the material down to and including "1974." on page 8, line 1, and insert "*The county legislative authority of such county is authorized to increase or decrease the salary of such office: PROVIDED, That the legislative authority of the county shall not reduce the salary of any official below the amount which such official was receiving on January 1, 1973.*"

On motion of Senator Fleming, Engrossed Senate Bill No. 2513 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2513, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—42.

Voting nay: Senators Bottiger, Gardner, Grant, Mardesich, Rasmussen—5.

Absent or not voting: Senator Greive—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 2513, having received the 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 Senator Mardesich, Engrossed House Bill No. 782 was ordered to hold its place on the second reading calendar for Friday, March 23, 1973.

## MOTION

On motion of Senator Durkan, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-45

By Senators Durkan, Mardesich and Dore:

WHEREAS, Alice O'Leary Ralls, a prominent attorney and leading citizen of the State of Washington died unexpectedly; and

WHEREAS, Alice O'Leary Ralls was a founder and for many years director of the family court; and

WHEREAS, Alice O'Leary Ralls for many years was a champion of many of the most vital and important legislative measures in the field of social, health and welfare legislation, most recently in the field of alcoholism; and

WHEREAS, Alice O'Leary Ralls for many years was the chief executive officer of the Washington State Bar Association; and

WHEREAS, On many occasions she had appeared before numerous legislative committees on which occasions her testimony was always candid and well-informed and most helpful to our deliberations; and

WHEREAS, Alice O'Leary Ralls was truly a "leading citizen" of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington conveys its deepest sympathy to her husband, the Honorable Charles C. Ralls, and to the members of his family and expresses its abiding love, affection, and respect for the deceased.

BE IT FURTHER RESOLVED, That the Secretary of the Senate be instructed to prepare and forward a copy of this resolution to the Honorable Charles C. Ralls.

#### MOTION

At 2:15 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, March 23, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## FIFTEENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, March 23, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Dore, Durkan, Newschwander, Odegaard, Twigg and Woody. There being no objection, Senators Dore and Durkan were excused.

The Color Guard, consisting of Pages Kevin McDonnell and Kimberly Adams, presented the Colors. Reverend J. Alan Justad, pastor of First United Methodist Church of Olympia, offered the following prayer:

"O THOU KINDLY LIGHT, WITH THE ENCIRCLING GLOOM ABOUT US, LEAD ON EACH SENATOR HERE GATHERED. WE COME THIS MORNING, CONFESSING THAT IN THE CONCEIT OF OUR SELF-SUFFICIENCY, TOO OFTEN WITH OUR



BURNING THIRSTS WE HAVE TURNED TO THE BROKEN CISTERNS OF WORLDLY WISDOM AND OUR OWN SOPHISTICATED CLEVERNESS. THAT DELUSIVE WAY HAS BROUGHT US, AND OUR ANGUISHED GENERATION, TO TRAGEDY AND AGONY. WE HAVE BEEN BLINDED AND HAVE NOT SEEN THAT THE 'NEW MORALITY IS IN TRUTH THE OLD IMMORALITY'.

"HELP EACH OF US HERE TO FACE THE PIERCING TRUTH OF THE QUESTION, 'WHY BUILD THESE CITIES GLORIOUS IF MAN UNBUILDED GOES'? IN VAIN WE BUILD THE WORLD UNLESS THE BUILDER ALSO GROWS.

"OUR FATHER, AS WE GROW IN MORAL AND SPIRITUAL STATURE, GIVE EACH OF US HONESTY IN DEALING WITH OUR OWN BESETTING SINS, HUMILITY TO CONFESS THEM, AND RESOLUTION TO OVERCOME THEM. THEN MAY WE WALK WITH HEAD UP HIGH, SINGING IN OUR SPIRITS THESE GREAT WORDS, 'GRANT US WISDOM, GRANT US COURAGE FOR THE FACING OF THESE DAYS.' WE ASK THIS IN THE DEAR REDEEMER'S NAME. AMEN."

#### MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

#### REPORTS OF STANDING COMMITTEES

March 22, 1973.

SENATE BILL NO. 2040, increasing age limit for applying the gift tax exclusion (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Gardner, Marsh, Metcalf, Ridder.

Passed to Committee on Rules for second reading.

March 20, 1973.

SENATE BILL NO. 2120, imposing additional duties on council on higher education relating to technological education (reported by Committee on Higher Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2120 be substituted therefor and the substitute bill do pass.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2177, amending the open space law and providing for current use assessment of farm and agricultural land (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2177 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Dore, Marsh, Metcalf, Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2463, revising the law relating to industrial welfare (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2638, directing that the attorney general defend certain appeals on behalf of the board of industrial insurance appeals (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2649, changing composition of workmen's compensation advisory committee (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2666, authorizing special vocational education programs for returning Vietnam veterans and providing for the financing thereof (reported by Committee on Higher Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2666 be substituted therefor and the substitute bill do pass, and be referred to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf, Scott.

There being no objection, Senate Bill No. 2666 was referred to the Committee on Ways and Means.

March 23, 1973.

SENATE BILL NO. 2805, authorizing bonds for capital improvements at institutions of higher education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass and refer to the Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf, Scott.

There being no objection, Senate Bill No. 2805 was referred to the Committee on Ways and Means.

March 21, 1973.

SENATE BILL NO. 2830, changing the notification period with respect to returning jury fees (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2833, authorizing certain docks for single family residences with a twenty-five hundred dollar construction cost limitation (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Guess, Murray, Whetzel.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2835, authorizing an additional method for the disposition of certain property owned by municipal utilities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2840, providing for reciprocal agreements with bordering states relating to the employment of workmen on public projects (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE CONCURRENT RESOLUTION NO. 122, requesting the Governor to form an agricultural study committee (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Day, Sellar, Twigg.

Passed to Committee on Rules for second reading.

March 22, 1973.

HOUSE BILL NO. 119, making the assessor's comparable sales data available to individuals protesting their property valuation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Grant, Lewis (Harry), Metcalf, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

March 22, 1973.

HOUSE BILL NO. 483, revising the application of the contractor's registration law (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, enacting the flammable fabrics act (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

#### MOTIONS

On motion of Senator Mardesich, the following were ordered placed at the end of today's second reading calendar: Senate Bill No. 2129, Senate Concurrent Resolution No. 124, and Senate Bill No. 2518.

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 11:20 a.m.

On motion of Senator Mardesich, the following resolution was unanimously adopted:

#### SENATE RESOLUTION 1973-46

By Senators Bailey, Durkan, Sandison, Fleming, Mardesich, Lewis (Harry), Atwood, Matson, Rasmussen, Keefe and Whetzel:

WHEREAS, Greece, the land of the earliest recorded democratic republic, has valiantly withstood the threat of Communism even though she geographically stands within the shadow of the Iron Curtain; and

WHEREAS, Greece remains an important ally of the United States and other free nations in the defense of the Eastern Mediterranean from the foes of freedom; and

WHEREAS, The patriotic people of Greece challenged the forces of oppression and began a long struggle for restoration of their nation and the freedom of their people; and

WHEREAS, Their cause was just and Greek people were dedicated to freedom; strong support developed so that after many difficult years the Ottoman Sultan was forced to acknowledge the independence of Greece; and

WHEREAS, The people of Greece have clearly demonstrated that where there is a will to be free, ways and means to secure and defend freedom will be found; and

WHEREAS, Through the centuries the Greek people have continually earned the admiration of the world for their courage, self-reliance and love of freedom; and

WHEREAS, We, the members of the Senate gratefully acknowledge the many citizens of Greek ancestry within this State and their contributions to our cultural heritage; and

WHEREAS, The One Hundred Fifty-second Anniversary of Greek Independence will be Sunday, March 25, 1973;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate on behalf of the people of the State of Washington, now join in paying tribute to their neighbors of Greek ancestry and to the people of Greece upon the occasion of the One Hundred Fifty-second Anniversary of Greek Independence;

BE IT FURTHER RESOLVED, That the Secretary of the Senate be and he is hereby ordered to send a copy of this resolution to the Reverend A. Homer Demopoulos of Saint Demetrios Greek Orthodox Church; to Reverend Sam G. Poulos of Greek Orthodox Church of the Assumption, Seattle, Washington; to Reverend Anthony Tomaras of Saint Nicholas Greek Orthodox Church, Tacoma, Washington; and to Reverend Nicholas Velis of Holy Trinity Greek Orthodox Church of Spokane, Washington.

The business of the Senate was suspended to permit the introduction of Reverend Anthony Tomaras who gave the following prayer:

"ALMIGHTY GOD, OUR HELP AND REFUGE, FOUNTAIN OF WISDOM AND TOWER OF STRENGTH WHO KNOWS THAT WE CAN DO NOTHING WITHOUT YOUR GUIDANCE AND HELP, ASSIST US, WE PRAY, AND DIRECT US THROUGH DIVINE WISDOM AND POWER THAT WE MAY ACCOMPLISH OUR TASK AND WHATEVER WE MAY UNDERTAKE TO DO FAITHFULLY AND DILIGENTLY ACCORDING TO YOUR WILL SO THAT IT MAY BE PROFITABLE TO US AND TO OTHERS AND TO THE GLORY OF GOD. AND, O LORD, IN THIS HOUR RECEIVE OUR SOULS, HALLOW OUR BODIES, CORRECT OUR THOUGHTS, PURIFY OUR MINDS AND DELIVER US FROM ALL TRIBULATION AND DISTRESS, FOR YOU ART BLESSED FROM ALL AGES TO ALL AGES. AMEN."

#### PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Father Tomaras. And now, respected members of the Senate, ladies and gentlemen, in order to prevent any confusion the President at this time would like to introduce the gentleman directly to his right. You have all met Father Homer Demopoulos of Seattle before, but we would like to have Father Demopoulos stand and be recognized. I did not want you to confuse him with Representative William Chatalas."

#### POINT OF INQUIRY

Senator Canfield: "I wonder if Representative Chatalas would yield to a question? I would like to know why it is that so many Greeks have a name ending in something like 'opulos'? I understand that the gentleman who was just introduced has a name something like that and I understand that Vice President Agnew had a name like Agnewopulos or something. Could you explain that?"

Representative Chatalas: "That is right. The name is derived just like the Scandinavian's have Johnsons and that ends up with 'son' and the Greeks have 'pulos' which stands for the same thing, 'the son'."

## SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 304,

HOUSE CONCURRENT RESOLUTION NO. 42.

There being no objection, the Senate returned to the sixth order of business.

## SECOND READING

ENGROSSED HOUSE BILL NO. 782, by Representative Charette:

Regulating chain distributor business schemes.

The bill was read the second time by sections.

On motion of Senator Whetzel, the following amendment was adopted:

On page 2, section 1, line 3 of both the engrossed and printed bills, after "resale." insert "It does not include sales demonstration equipment and materials, furnished at cost for use in making sales and not for resale."

On motion of Senator Whetzel, the following amendment by Senators Whetzel and Mardesich was adopted:

On page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill, after "value" and before the period insert "; (g) amounts paid in connection with a trading stamp promotion subject to the provisions of chapter 19.84 RCW by a person issuing trading stamps in connection with the retail sale of merchandise or services".

On motion of Senator Whetzel, Engrossed House Bill No. 782, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Canfield: "Would Senator Whetzel yield? Senator Whetzel, there are a number of very good attorneys in this body and you spoke of a battery of lawyers inspecting this act and they did not know for sure what it meant. I would like for you to assure me that there is nothing in this act that would loosen up the green stamp deal to permit the redemption of the green stamps by cash."

Senator Whetzel: "Senator Canfield, I think what you are concerned about is the redemption of green stamps for merchandise."

Senator Canfield: "For merchandise, yes."

Senator Whetzel: "That is legal now, but there must be a six thousand dollar license fee paid."

Senator Canfield: "I am aware of that."

Senator Whetzel: "This bill does nothing to that as far as we have been able to ascertain. I think I can assure you that it will not permit the redemption of trading stamps for merchandise without payment of the six thousand dollar license fee."

Senator Canfield: "I mis-spoke when I said cash. I meant redemption by merchandise. Thank you, Senator."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 782, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Grant, Sellar, Wanamaker—3.

Absent or not voting: Senators Greive, Herr, Newschwander—3.

Excused: Senator Durkan—1.

ENGROSSED HOUSE BILL NO. 782, 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 BILL NO. 2408, by Senators Walgren, Twigg and Sandison:

Authorizing remedies and penalties for violation of municipal competitive bidding requirements.

The bill was read the second time by sections.

On motion of Senator Rasmussen, Senate Bill No. 2408 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

On motion of Senator Atwood, Senator Newschwander was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2408, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Talley—1.

Absent or not voting: Senator Herr—1.

Excused: Senators Durkan, Newschwander—2.

SENATE BILL NO. 2408, having received the 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. 2847, by Senators Ridder, Keefe, Grant and Matson:

Permitting professional musicians eighteen years of age to entertain in licensed premises.

The bill was read the second time by sections.

On motion of Senator Ridder, Senate Bill No. 2847 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2847, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Voting nay: Senators Canfield, Guess, Metcalf, Peterson (Ted)—4.

Absent or not voting: Senators Fleming, Herr—2.

Excused: Senators Durkan, Newschwander—2.

SENATE BILL NO. 2847, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE CONCURRENT RESOLUTION NO. 108, by Senators Marsh, Canfield and Sandison (by Joint Committee on Higher Education request):

Continuing study by joint committee on higher education respecting reciprocity as to nonresident student fees within institutions of higher education.

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE CONCURRENT RESOLUTION NO. 108, continuing study by joint committee on higher education respecting reciprocity as to nonresident student fees within institutions of higher education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24, after "Education" and before "continue" insert "or its successor".

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendment was adopted.

On motion of Senator Guess, the following amendments were adopted:

On page 1, line 17, after "Washington" and before the semicolon insert "and we hereby declare the same contacts be pursued with the State of Idaho".

On page 2, line 1, after "Legislature" insert "and the Legislature of the State of Idaho".

On motion of Senator Sandison, Engrossed Senate Concurrent Resolution No. 108 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 108, and the resolution passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Herr, Washington—2.

Excused: Senators Durkan, Newschwander—2.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2571, by Senators Walgren, Whetzel and Clarke:

Increasing the loan limits of member institutions of industrial development corporations.

The bill was read the second time by sections.

On motion of Senator Walgren, Senate Bill No. 2571 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2571, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Herr, Lewis (Harry)—2.

Excused: Senator Newschwander—1.

SENATE BILL NO. 2571, having received the 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. 2452, by Senators Bottiger, Knoblauch and Newschwander:

Authorizing cities to acquire certain unfit dwelling units.

The bill was read the second time by sections.

On motion of Senator Bottiger, Senate Bill No. 2452 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2452, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 7; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Francis, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Absent or not voting: Senators Day, Durkan, Gardner, Herr, Mardesich, Odegaard, Talley—7.

Excused: Senator Newschwander—1.

SENATE BILL NO. 2452, having received the 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

At 12:05 p.m., on motion of Senator Sandison, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

#### SECOND READING

SENATE BILL NO. 2129, by Senators Bottiger, Stender, Rasmussen, Mardesich and Grant:

Allowing qualified lay persons to represent others in proceedings before the board of industrial insurance appeals.

The bill was read the second time by sections.

On motion of Senator Rasmussen, Senate Bill No. 2129 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.



## MOTION

On motion of Senator Bottiger, Senate Bill No. 2129 was ordered placed on the third reading calendar for Saturday, March 24, 1973.

## MOTIONS

On motion of Senator Atwood, Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Saturday, March 24, 1973.

On motion of Senator Bailey, Senate Bill No. 2036 and Senate Bill No. 2518 were ordered to hold their places on the second reading calendar for Saturday, March 24, 1973.

## SECOND READING

SENATE BILL NO. 2525, by Senators Bailey, Woodall, Bottiger, Clarke, Wanamaker, Newschwander, Jones, Murray and Sellar (by Executive request):

Providing procedures for the solicitation of funds for or in the name of charity.

## REPORT OF STANDING COMMITTEE

March 15, 1973.

SENATE BILL NO: 2525, providing procedures for the solicitation of funds for or in the name of charity (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 3, section 3, strike all of subsections (1), (2), (3) and (4).

Renumber the remaining subsections consecutively.

On page 4, section 3, line 21, subsection (5), renumbered to subsection (1), strike "Fraternal, patriotic, or other incorporated charitable" and insert "Any".

On page 4, section 3, line 23, subsection (5), renumbered to subsection (1), after "charitable" and before "purposes" insert "or religious or educational".

On page 4, section 3, line 25, subsection (5), renumbered to subsection (1), after "organization" and before "and" strike "or to seeking new members".

On page 4, section 3, line 28, subsection (5), renumbered to subsection (1), strike "terms" and insert "term" and after "membership" and before "shall" strike "and new members".

On page 4, section 3, line 32, subsection (6), renumbered to subsection (2), following "individuals" strike the remainder of the subsection and insert ":

(a) When the solicitation is managed and conducted solely by persons who are unpaid for such services and;

(b) When the contributions collected do not exceed the two thousand dollars in any six month period; and

(c) When all of the contributions collected, without any deductions whatsoever except for the actual cost of a banquet, dance, or similar social gathering, are turned over to the named beneficiary or beneficiaries."

On page 5, section 3, strike all of subsections (7) and (8).

On page 5, section 3, line 15, subsection (9), renumbered to subsection (3), after "of" and before "thousand" strike "five" and insert "two".

On page 6, section 7, line 23, subsection (5), after "communication" and before the semicolon insert "and any location of any telephone solicitation facilities".

On page 7, section 7, line 27, subsection (14), after "within" and before "after" strike "twenty-four hours" and insert "five days, excluding Saturdays, Sundays and legal holidays".

On page 8, section 9, line 16, after "file" strike "the annual report and any special report" and insert "any reports".

On page 8, section 9, line 22, strike "two" and insert "four".

On page 8, section 10, line 32, strike "conductors, and managers," and insert "and professional fund raisers. If it appears that the cost of soliciting will exceed the percentages

listed above, and except for that, the registration would otherwise be granted, the director may enter an order registering the charitable organization, upon a showing that special reasons make a cost higher than twenty percent or said fifty-five percent, or said twenty percent, respectively, reasonable in the particular case;”.

On page 10, section 12, line 6, after “Any” and before “organization” strike “youth membership” and insert “charitable”.

On page 10, section 12, line 7, after “section” strike all of the material down to and including the colon on line 8 and insert “3(3) of this 1973 act.”.

On page 10, section 12, line 23, subsection (b), after “form” strike “annual or special”.

Beginning on page 10 strike all of section 13 and renumber the remaining sections consecutively.

On page 11, section 14, line 12, after “short” strike “term” and insert “form”.

On page 11, section 14, line 13, strike “annual or special”.

On page 11, section 14, line 16, strike “ANNUAL (OR SPECIAL) REPORT (SHORT FORM)” and insert “SHORT FORM REPORT”.

On page 11, section 14, line 28, subsection (2), after “short” and before “report” strike “term annual or special” and insert “form”.

On page 12, section 15, line 1, after “registration” strike “or registration”.

On page 12, section 15, line 2, strike “statement”.

On page 12, section 15, line 22, after “solicitation,” and before “general” strike “or”.

On page 12, section 15, line 23, after “place” and before the period insert “or telephone solicitation facilities”.

On page 13, section 18, line 4, after “inspection.” strike the remainder of the section.

On page 15, section 22, line 22, strike “(6)” and insert “(b)”.

On page 15, section 23, line 32, after “required” strike “annual or special”.

On page 16, section 23, line 3, after “the” and before “has” strike “report” and insert “information”.

On page 16, section 24, line 28, after “or” and before “person” strike “other”.

On page 16, section 24, line 30, after “or” and before “person” strike “other”.

On page 18, section 27, line 8, subsection (3), after “(3)” and before “to” strike “Failure” and insert “Upon failure”.

On page 18, section 28, line 22, after “order” and before “registration” strike “or” and insert “of”.

On page 18, section 28, line 28, after “director;” strike the remainder of the subsection and insert:

“(f) He may issue an order requiring the person to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the director will carry out the purposes of this chapter.”

On page 19, section 29, line 20, after “organization” and before “has” insert “, professional fund raiser or professional solicitor”.

On page 20, section 29, line 4, subsection (2), after “organization” and before “has” insert “, professional fund raiser or professional solicitor”.

On page 22, section 36, line 9, after “separate” and before “of the” strike “annual or special report” and insert “financial statement”.

On page 22, section 36, line 11, after “raiser,” and before “dollars” strike “ten” and insert “fifty”.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Woodall.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendments were adopted.

On motion of Senator Bottiger, Engrossed Senate Bill No. 2525 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Canfield: “Will Senator Bottiger yield? Senator, I think this is a good bill and I am supporting it, but I want to ask you this question. Are any of these national organizations exempt under the guise of interstate commerce or anything of that sort?”

Senator Bottiger: "They would be exempt under interstate commerce from state regulation, but they had better not try to solicit in this state without complying with this statute. Now if they did it through the mail, there is probably not much we can do about it."

Senator Canfield: "You are saying then they could do it through the mail, but not in person? Is that what you are saying?"

Senator Bottiger: "Right. The telephones, the ads in the papers here, things like this I think the act clearly prohibits."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Bottiger yield? In these hearings, was it brought out what some of the high paid salaries of the presidents and directors were earning on some of these national drives for funds?"

Senator Bottiger: "The question was asked. The response was that they would tell that to any person who had a legitimate purpose, but they did not respond to the question."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2525, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Dore, Durkan, Grant—3.

Excused: Senators Newschwander, Scott—2.

ENGROSSED SENATE BILL NO. 2525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 23, 1973.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 2071, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 2071 and the House amendments thereto: Representatives Bauer, Knowles and Smythe.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the request of the House for a conference on Engrossed Senate Bill No. 2071 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2071 and the House amendments thereto: Senators Grant, Marsh and Twigg.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## MOTION

At 2:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Saturday, March 24, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## SIXTEENTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, March 24, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan, Matson, Newschwander and Whetzel. On motion of Senator Woodall, Senator Matson was excused. On motion of Senator Lewis (Harry), Senators Newschwander and Whetzel were excused. There being no objection, Senators Dore and Durkan were excused.

The Color Guard, consisting of Pages Theresa Hurlbert and Alison Stevens, presented the Colors. Doctor Henry S. Rahn, pastor of The First Baptist Church of Olympia, offered the following prayer:

"ETERNAL GOD OUR FATHER, IN A WORLD OF RAPID CHANGE, WE TURN FROM THE TEMPORARY AND THE TRANSIENT TO THE ETERNAL. WE LONG FOR MEANING PURPOSE AND DIRECTION. FILL OUR MINDS WITH THY BEAUTY, TOUCH OUR LIPS WITH THY TRUTH. GRANT US THE COURAGE TO FACE LIFE AS IT IS, AND THE STRENGTH AND WISDOM TO CHANGE IT ACCORDING TO THY WILL. BLESS THESE LEADERS IN STATE GOVERNMENT AS THEY WORK WITH THE MATERIALS OF THE DAY. THROUGH CHRIST OUR LORD. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

March 21, 1973.

SENATE BILL NO. 2105, adopting the capital budget (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2105 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Fleming, Lewis (Harry), Marsh, Peterson (Ted), Ridder.

Passed to Committee on Rules for second reading.

March 24, 1973.

SENATE BILL NO. 2352, prohibiting prosecuting attorneys in counties of fourth class and larger from engaging in the private practice of law (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE BILL NO. 2456, providing uniformity of definition relating to motor vehicle laws (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as previously amended by the Senate.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Jolly, Lewis (Bob), Mattingly, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE BILL NO. 2602, reconstituting the oceanographic commission (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 24, 1973.

SENATE BILL NO. 2642, providing for the acquisition of parking facilities by the state highway commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Bottiger, Jolly, Knoblauch, Lewis (Bob), Mattingly, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 24, 1973.

SENATE BILL NO. 2669, relating to unemployment compensation and requiring employing units to report refusal of offers of reemployment (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE BILL NO. 2697, placing certain appointed public officials under financial disclosure requirements (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2843, authorizing cities and towns to participate in federal grant-in-aid programs (reported by Committee on Local Government):

MAJORITY recommendation: That Substitute Senate Bill No. 2843 be substituted therefor and the substitute bill do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Talley.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE BILL NO. 2846, prohibiting members of the horse racing commission and their spouses from racing their own horses on Washington tracks (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE BILL NO. 2889, changing Memorial Day and Veteran's Day back to May 30th and November 11th respectively (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE JOINT MEMORIAL NO. 122, memorializing Congress for constitutional convention relating to anti-bussing constitutional amendment (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE JOINT MEMORIAL NO. 123, memorializing Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Jolly, Knoblauch, Mattingly, Peterson (Lowell), Washington.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE JOINT RESOLUTION NO. 106, providing for the retirement of judges at age seventy and limiting the number of years one can hold elective office (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Gardner, Mattingly, Metcalf.

Passed to Committee on Rules for second reading.

March 23, 1973.

ENGROSSED HOUSE BILL NO. 84, establishing trust fund for funds not in state treasury but in custody of state treasurer (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 23, 1973.

HOUSE BILL NO. 426, publishing notice of constitutional amendments and referendum bills (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Gardner, Mattingly, Washington.

Passed to Committee on Rules for second reading.

March 22, 1973.

ENGROSSED HOUSE BILL NO. 736, establishing base year formula for certain tax districts excess levies (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Atwood, Bailey, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

March 24, 1973.

HOUSE BILL NO. 746, implementing the laws protecting forest lands (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules for second reading.

March 23, 1973.

ENGROSSED HOUSE BILL NO. 827, providing that county comprehensive plans may cover a portion of such county (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Sellar, Whetzel.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE GOVERNOR

Office of the Governor, March 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 23, 1973, Governor Evans approved the following Senate Bill entitled:

SUBSTITUTE SENATE BILL NO. 2113: Establishing a hospital commission.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

#### MESSAGES FROM THE HOUSE

March 23, 1973.

Mr. President: The Speaker has signed HOUSE JOINT RESOLUTION NO. 10, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 23, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2069, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 23, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2908, by Senator Day:

An Act relating to hospitals; prohibiting discrimination against physicians and surgeons; and adding new sections to chapter 70.41 RCW.

Referred to Committee on Social and Health Services.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, by Committee on Social and Health Services (originally sponsored by Representatives Maxie, Paris, Adams, Zimmerman, Smythe, Ceccarelli, Gaines, Gaspard, Goltz, Kelley, Nelson and Van Dyk) (by Governor's Task Force on Aging request):

Authorizing certain services for certain persons receiving public assistance.

Referred to Committee on Social and Health Services.

### SIGNED BY THE PRESIDENT

The President signed:

HOUSE JOINT RESOLUTION NO. 10.

### MOTION

At 9:40 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 10:00 a.m.

### MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Monday, March 26, 1973.

On motion of Senator Mardesich, the following Senate bills were ordered held on the second reading calendar for Monday, March 26, 1973: 2036, 2518 and 2326.

On motion of Senator Walgren, Senate Bill No. 2250 was ordered to hold its place on the second reading calendar for Monday, March 26, 1973.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Monday, March 26, 1973.

On motion of Senator Mardesich, the following Senate bills were ordered held for the second reading calendar on Wednesday, March 28, 1973: 2134, 2045 and 2046.

### SECOND READING

SENATE BILL NO. 2143, by Senators Atwood, Day, Odegaard and Canfield:

Providing that voters at the county level may use initiative and referendum to put matters on the ballot.

The bill was read the second time by sections.

On motion of Senator Atwood, Senate Bill No. 2143 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2143, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 2; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—39.

Voting nay: Senators Murray, Talley, Woodall—3.

Absent or not voting: Senators Connor, Sellar—2.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

SENATE BILL NO. 2143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2621, by Senators Guess and Donohue:  
Implementing the laws relating to snowmobiles.

## REPORT OF STANDING COMMITTEE

March 19, 1973.

SENATE BILL NO. 2621, implementing the laws relating to snowmobiles (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 3, line 33, after the period insert "*The commission, the department of natural resources and the department of game shall, not later than March 1st of each year, prepare and submit to the Washington state parks and recreation commission an annual report which shall indicate the purposes for which such amounts were expended.*"

Signed by: Senators Henry, Vice Chairman; Guess, Knoblauch, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Talley, Wanamaker, Whetzel.

The bill was read the second time by sections.

On motion of Senator Guess, the committee amendment was adopted.

On motion of Senator Guess, Engrossed Senate Bill No. 2621 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Canfield: "Would Senator Guess yield? I would like for you to comment upon re-establishing this principle of earmarking funds."

Senator Guess: "Senator, the bill in 1971 earmarked funds. It was accepted by the legislature then and it has proven to be a very good source of funds for that purpose."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2621, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

ENGROSSED SENATE BILL NO. 2621, having received the 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 Senator Lewis (Harry), Senate Bill No. 2656 was ordered to hold its place on the second reading calendar for Monday, March 26, 1973.

#### SECOND READING

SENATE BILL NO. 2153, by Senators Sandison, Whetzel and Talley (by Joint Committee on Higher Education request):

Implementing the community college district professional negotiations act.

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE BILL NO. 2153, implementing the community college district professional negotiations act (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 24, after "*activities*" and before "*as*" insert "*upon the consent of both parties*".

On page 3, line 28, add a new section 6 as follows, and renumber section 6 as "*NEW SECTION. Sec. 7.*"

"*NEW SECTION. Sec. 6.* There is added to chapter 196, Laws of 1971 ex. sess. and chapter 28B.52 RCW a new section to read as follows:

Nothing in chapter 28B.52 RCW as now or hereafter amended shall compel either party to agree to a proposal or to make a concession, nor shall any provision in chapter 28B.52 as now or hereafter amended be construed as limiting or precluding the exercise by each community college board of trustees of any powers or duties authorized or provided to it by law unless such exercise is contrary to the terms and conditions of any lawful negotiated agreement."

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

The bill was read the second time by sections.

Senator Sandison moved adoption of the committee amendment to page 2, section 3, line 24.

#### POINT OF INQUIRY

Senator Odegaard: "Will Senator Sandison yield? Senator Sandison, would this allow then administrators to form their own bargaining unit? Is that the understanding?"

Senator Sandison: "At their option, yes."

Senator Odegaard: "At their option? And then if they opt to form their own unit, may they bargain on the complete scope that faculty members are allowed to bargain on at the present time?"

Senator Sandison: "Yes, that is my understanding of the bill and it was testified to by both sides."

#### MOTION

On motion of Senator Odegaard, Senate Bill No. 2153, together with the pending committee amendments, was ordered held for further consideration on Monday, March 26, 1973.

#### SECOND READING

SENATE BILL NO. 2040, by Senators Clarke and Woody:

Increasing age limit for applying gift tax exclusion.

The bill was read the second time by sections.

On motion of Senator Mardesich, Senate Bill No. 2040 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2040, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senator Francis—1.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

SENATE BILL NO. 2040, having received the 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. 2043, by Senators Francis, Clarke and Woody:

Providing for jurisdiction in certain actions for divorce, annulment or separate maintenance.

The bill was read the second time by sections.

On motion of Senator Francis, Senate Bill No. 2043 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2043, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

SENATE BILL NO. 2043, having received the 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. 2075, by Senators Wanamaker, Washington and Guess (by Legislative Transportation Committee request):

Revising the apportionment formula for the grade crossing protective fund.

The bill was read the second time by sections.

On motion of Senator Wanamaker, Senate Bill No. 2075 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2075, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

SENATE BILL NO. 2075, having received the 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. 2085, by Senators Washington, Guess and Henry:  
Adopting portions of the Uniform Vehicle Code.

#### MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 2085 was substituted for Senate Bill No. 2085, and the substitute bill was placed on second reading.

On motion of Senator Woodall, Substitute Senate Bill No. 2085 was ordered placed on the second reading calendar for Monday, March 26, 1973.

#### SECOND READING

SENATE BILL NO. 2098, by Senators Bottiger, Newschwander and Donohue:  
Permitting county treasurers to invest in certain securities.

#### REPORT OF STANDING COMMITTEE

February 17, 1973.

SENATE BILL NO. 2098, permitting county treasurers to invest in certain securities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 27 after "securities]" strike all material to and including "*by the United States*" on page 2, line 3.

On page 2, section 1, line 3 after "," and before "or" insert "*certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States; in federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system*".

On page 2, section 1, line 6, after "ex. sess.:" strike everything down to and including "*invested.*" on line 8.

On page 2, section 1, line 6, after "ex. sess.:" strike everything down to and including "*invested.*" on line 8.

On page 2, section 1, line 21 after "[government]" strike all material to and including "*by the United States*" on page 2, line 24.

On page 2, section 1, line 24, after "States" and before "or" insert "*certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States, in federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system*".

On page 2, section 1, line 29 before "in" strike "*particular investment*" and insert "*specific qualified financial institution*".

Signed by: Senators Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Walgren.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendments were adopted.

On motion of Senator Bottiger, Engrossed Senate Bill No. 2098 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2098, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senator Peterson (Lowell)—1.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

ENGROSSED SENATE BILL NO. 2098, having received the 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. 2110, by Senators Grant, Stender and Connor (by Legislative Council request):

Changing arbitrators' fees in health care services.

The bill was read the second time by sections.

On motion of Senator Grant, Senate Bill No. 2110 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2110, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

SENATE BILL NO. 2110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2161, by Senators Francis and Clarke (by Judicial Council request):

Expanding responsibilities of municipal courts in passing sentences.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Francis yield to a question? Senator Francis, I

confess I must have been absent the particular day at Judiciary when this measure was considered. Hastily glancing at the section, the present law says that in all courts operating under the Municipal Act, the judge sets the sentence. We do have those rural areas where they do have the non-lawyers where the penalty is set by the jury. Now the underlined new section, does that give that local rural JP the same sentencing powers as the justices who are under this other act?"

Senator Francis: "Not at all, Senator Woodall. I have the RCW it refers to here and am looking at the bill and was just talking to Senator Greive about it. The bill only applies existing law to the Municipal Court Act, which only, you know, since it applies to cities of five hundred thousand or more is the Seattle municipal court. So it applies just this part of the justice court act to the Seattle municipal court and says thereby that if there is an offense for which the gravity is so great that he does not think he can properly deal with it, he can in effect bind it over to superior court. Now that is the way I read the law, and this just adds the municipal court in as having that power. It does not change his sentencing power except that he can bind it over to superior court."

Senator Woodall: "But you have added a new category, 35.20. Who does that relate to?"

Senator Francis: "That is saying that justices under 35.20 are under that act. Justices under 35.20 are the municipal courts in cities over five hundred thousand. That is the chapter of RCW that governs the Seattle municipal court."

Senator Woodall: "Then I take it this does not then go back and give these sentencing powers to the small rural justice?"

Senator Francis: "That is correct. In fact, quite the contrary. It does not give any sentencing powers. It gives what I interpret as the bind over power to a municipal judge only."

#### MOTION

On motion of Senator Francis, consideration of Senate Bill No. 2161 was held following Senate Bill No. 2288 on today's second reading calendar.

#### SECOND READING

SENATE BILL NO. 2227, by Senators Woodall, Matson, Henry and Washington:  
Increasing Yakima County Superior Court from four to five members.

#### MOTION

On motion of Senator Woodall, Substitute Senate Bill No. 2227 was substituted for Senate Bill No. 2227, and the substitute bill was placed on second reading and read the second time in full.

Senator Rasmussen moved adoption of the following amendment:

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

"*NEW SECTION.* Sec. 4. There is added to chapter 2.08 RCW a new section to read as follows: Judges of the superior court shall have such vacation time with the right to accrue unused vacation leave as is provided for officers and employees of the state under RCW 43.01.040."

#### POINT OF ORDER

Senator Woodall: "Senator Rasmussen is, of course, injecting a new subject matter into this measure. The measure starts out to provide the number of judges for certain judicial districts. This raises a new issue and a new subject, namely, how much vacation time they should have. I think there is considerable merit in the thing that the good Senator proposes and in some other measure I would be happy to join because I do feel that there has been, in certain areas, an abuse on that particular point. However, I do not feel it is proper in this bill."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, speaking to the point of order, Senate Bill No. 2227 concerns increasing the number of judges in various counties. My proposed amendment would have the effect of reducing the need for judges in various counties and that the court administrator would be able to, by moving the judges around, fill in the need for additional judges. It has been not only my experience in the House, but also in the Senate, about hearing this complaint that the courts shut down in the summertime. They have one or two presiding judges merely to set cases and the lawyers are unable to try their cases. This, of course, increases the backlog of cases and then they come down and point to the legislature that 'we have numerous cases that are a tremendous backlog and we need new judges.' So arguing toward the point of order, I would say that this is a very pertinent point that should be considered at the time when we are increasing the judges and I would hope that the President and this body would go along with this amendment as an indication that the legislature feels there should be some changes made in the way the courts are operated in order to cut down the backlog of cases. And I await your decision, Mr. President."

## RULING BY THE PRESIDENT

The President: "The President, in ruling upon the point of order as presented by Senator Woodall, is highly impressed with the arguments offered by Senator Rasmussen, and feels that his motives are of the highest order. However, the bill is extremely limited in scope, Senator, in that it provides merely for the increase of the number of judges in certain counties, and your particular amendment pertains to the right of the judges of the superior court to have such vacation time with the rights to accrue unused vacation leave as is provided for officers and employees of the state under RCW 43.01.040. Therefore, the President does believe that your amendment does enlarge the scope and object of the measure."

The amendment by Senator Rasmussen was ruled out of order.  
Debate ensued.

## POINT OF INQUIRY

Senator Metcalf: "Would Senator Mardesich yield to a question? Is there any precedent this session, Senator Mardesich, for not sending a bill that spends money to the Ways and Means Committee? Have any bills come through the Senate floor that have not gone to Ways and Means that are money bills, this session or last?"

Senator Mardesich: "I think there have been one or two but the chairman, when he is present, usually makes sure that those bills go through his hands. But there have been a few go by here without going to Ways and Means."

## MOTION

Senator Rasmussen moved that Substitute Senate Bill No. 2227 be referred to the Committee on Ways and Means.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Woody yield to a question? Senator Woody, I would appreciate it if you would inform me, who from Pierce County testified that they wanted a new judge and were the county commissioners represented?"

Senator Woody: "Yes, Jack Rogers."

## PERSONAL PRIVILEGE

Senator Rasmussen: "Mr. President, I find it necessary to correct a statement that was

made here. This was addressed to me. 'I did not appear on the judges' bill, and I definitely did not testify about the need for any additional judges in Pierce County. There must be a misunderstanding here.' Signed Jack Rogers. Senator Woody, you must have had another gray haired, kindly, courtly looking gentleman confused with Senator Rogers. I would like to clear up that misunderstanding and point out that I do not know any of the other Senators from Pierce County, but I have been advised in the past at the time that there has been a request in for a judge. I have been advised many times by the county commissioners that that is all they need is another bunch of cracked-brained legislators forcing more people on them that they had to provide housing for and that they did not have a need for. If there was a need for it, I would be the first one who would be up here supporting it. As it is, I am going to be forced to vote against the bill."

The motion by Senator Rasmussen failed on a rising vote.

On motion of Senator Mardesich, the following amendment was adopted on a rising vote:

On page 1, section 1, line 12, strike "*thirty-one*" and insert "*twenty-nine*".

On motion of Senator Donohue, the following amendment by Senators Donohue and Odegaard was adopted:

On page 2, section 3, after "court" and before the period on line 9, insert "*PROVIDED, That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purposes of this 1973 act*".

On motion of Senator Francis, Engrossed Substitute Senate Bill No. 2227 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2227, and the bill passed the Senate by the following vote: Yeas, 38; nays, 6; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—38.

Voting nay: Senators Fleming, Grant, Metcalf, Rasmussen, Ridder, Stortini—6.

Excused: Senators Dore, Durkan, Matson, Newschwander, Whetzel—5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Mardesich, the Senate immediately commenced consideration of Substitute Senate Bill No. 2226.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2226, by Judiciary Committee (originally sponsored by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry) (by Executive request):

Providing residential landlord tenant laws.

The Senate resumed consideration of Substitute Senate Bill No. 2226. On March 16, 1973, Substitute Senate Bill No. 2226 was read the second time in full.



## MOTIONS

On motion of Senator Atwood, the amendment on the Secretary's desk by Senator Whetzel to page 1, section 1, beginning on line 19, was ordered held for consideration on Monday, March 26, 1973.

On motion of Senator Bottiger, the following amendment by Senator Francis was adopted:

On page 2, line 1, section 2, after "governed" and before "by", insert "primarily".

On motion of Senator Rasmussen, the following amendment was adopted:

On page 2, section 2, line 2, after "any" and before "not" strike "situation" and insert "case".

On motion of Senator Francis, the following amendment was adopted:

On page 2, line 2, section 2, after "not" and before "governed", insert "specifically".

Senator Rasmussen moved adoption of the following amendment:

On page 1, section 2, beginning with "The" in line 27, strike the remainder of the section.

## POINT OF INQUIRY

Senator Greive: "Will Senator Rasmussen yield to a question? Do you mean then that only those apartments and things located in the downtown or the so-called central or core areas of the cities would be affected by the act?"

Senator Rasmussen: "No."

Senator Greive: "What does your amendment mean then?"

Senator Rasmussen: "It means that everything would be covered by the act."

The motion by Senator Rasmussen carried and the amendment was adopted on a rising vote.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 3, section 3, line 9 after "charged" and before "the" strike "and" and insert "in".

Senator Rasmussen moved adoption of the following amendment:

On page 3, section 4, line 29 after "of" and before "where" strike "RCW 47.12.020" and insert "RCW 47.12.120".

On motion of Senator Bottiger, the following amendment to the amendment by Senator Rasmussen was adopted:

Amend the Rasmussen amendment to page 3, section 4, line 29, as follows: Strike "RCW 47.12.120" and insert "chapter 47.12 RCW".

The motion by Senator Rasmussen carried and the amendment, as amended, was adopted.

On motion of Senator Marsh, the following amendment was adopted:

On page 3, section 4, line 23, after "purchase," and before "or" insert "bona fide option to purchase,".

Senator Rasmussen moved adoption of the following amendment:

On page 4, section 5, line 11 after "The" and before "superior" strike "district or".

## POINT OF INQUIRY

Senator Francis: "Would Senator Rasmussen yield to a question? Senator Rasmussen, would not your remarks also address themselves appropriately to a motion to strike the entire section, because if we strike 'district' and 'superior' from there, what real purpose is there for that amendment?"

Senator Rasmussen: "Senator Francis, I am sorry you did not hear what the amendment was. It is merely striking 'the district or'. It would then remain 'superior court jurisdiction'."

Senator Francis: "I understand that. Perhaps you do not understand my question. I am saying in view of your remarks, why not simply strike the whole section? What purpose would the section have without the word 'district courts' in there, and what I am suggesting is, would you object if I amended your motion to make it strike the whole section? What need do we have for it otherwise?"

Senator Rasmussen: "Well, I would think that you need some court, the superior courts which would have the jurisdiction, Senator Francis."

There being no objection, the amendment by Senator Rasmussen to page 4, section 5, line 11, was withdrawn.

On motion of Senator Woody, the following amendment was adopted:

On page 4, section 5, line 15, after "chapter" and before the period, insert "within the respective jurisdiction of the district or superior courts as provided in Article IV, section 6 of the Constitution of the State of Washington."

On motion of Senator Woody, the following amendment was adopted:

On page 4, section 6, line 21, after "operation" and before "if" insert ", which the legislative body enacting the applicable code, statute, ordinance or regulation could enforce as to the premises rented".

Senator Rasmussen moved adoption of the following amendment:

On page 4, section 6, line 24 after "in" and before "good" insert "reasonably".

Debate ensued.

The motion by Senator Rasmussen carried and the amendment to page 4, section 6, line 24 was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 4, section 6, line 30 after "(4)" and before "insects" strike "Exterminate" and insert "Reasonably exterminate".

Debate ensued.

There being no objection, the amendment by Senator Rasmussen was withdrawn.

Senator Bottiger moved adoption of the following amendment:

On page 4, section 6, line 30, strike subsection (4) and insert:

"(4) Provide a structure-wide program for the control of infestation of insects, rodents and other pests."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? I do not get the full import of this structure-wide program. You mean if you have an apartment with several units and you fumigate one, is that a structure-wide program and then someone moves in who brings the vermin with them, you know they get there from someplace. People bring vermin in. The buildings do not produce the vermin of their own volition. Now under this amendment, how often and what do you envision this being construed to mean, that he created a structural-wide program? I just do not follow you."

Senator Bottiger: "Senator Woodall, I think what it would mean would be that if there is infestation that the landlord would have to do something about it. Now remember that there are certain exemptions of agricultural land, things of this nature where we all know there is always the problem of mice and flies and things of that nature. But if there is infestation and the tenants complain, then the burden would shift back to the landlord to show that he has a program for controlling or eliminating infestation. If he does not, the tenant would have some corrective rights. Now there is no pride of authorship. The question of infestation of rodents and insects is a substantial one in many dwelling units, and if anybody has got a better idea of how to word the obligation of the landlord to control it, I am more than willing to hear it."

Senator Rasmussen moved adoption of the following amendment to the amendment by Senator Bottiger:

Amend the Bottiger amendment to page 4, section 6, line 30 as follows:

On line 3 of the amendment, strike "structure-wide" and insert "reasonable".

Debate ensued.

There being no objection, the amendment by Senator Bottiger and the amendment to the amendment by Senator Rasmussen were withdrawn.

#### PERSONAL PRIVILEGE

Senator Rasmussen: "I would like to say that this was no reflection on the Chairman of the Senate Judiciary Committee, who has many, many bills before him, hundreds, and

does not have the time to probably work all the bills over, and I can understand that frustration. I have many bills also in my committee. But I, at the same time, have concern for the time of the members on the floor. I do not think that any of these proposed amendments here are out of order. I have in my committee bills of major importance that I do have in my possession the fifth draft. And the reason for that is that you consolidate the proposed amendments and perfect the bill and then present it as a substitute bill. So I have no objection, as long as this body wants to continue working I will work right with them and as many hours. But I do think it is one of the duties that we as chairmen have is to encompass as many of the amendments as we can in a substitute draft and save the time on the floor. Thank you."

On motion of Senator Mardesich, the following amendment was adopted:

On page 4, section 6, line 30, strike "Exterminate" and insert "Provide a reasonable program for the control of infestation by".

Senator Rasmussen moved adoption of the following amendment:

On page 5, section 6, line 2 after "repairs" and before "keep" strike "and arrangements necessary to put and" and insert "to".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

On motion of Senator Rasmussen, the following amendment was adopted on a rising vote:

On page 5, section 6, line 3 after "as" and before "by" strike "it was, or".

Senator Rasmussen moved adoption of the following amendment:

On page 5, section 6, line 7 after "in" and before "good" insert "reasonably".

#### POINT OF INQUIRY

Senator Bottiger: "Would Senator Rasmussen yield to a question? Senator, if the toilet only flushes half of the time, would you say it was in reasonably good working condition?"

Senator Rasmussen: "Mr. President, I am wondering if Senator Bottiger is having trouble with his toilet and I do not know quite how to answer him. The point is that when you say 'reasonably' this is understandable by everybody and you may not have the appliances in new condition, but they would be in reasonably good condition and I can think many times when I have come home from the legislature and my wife has told me that the washing machine does not pump the water out. Yet it washes good. And I would say that that is reasonably good and I get by with it until I have the time to have it repaired or locate a new one that I wish to buy. That is why I am asking that you insert 'reasonably good' and I will be glad to consult with Mr. Bottiger further on his problem."

The motion by Senator Rasmussen carried and the amendment was adopted on a rising vote.

On motion of Senator Woody, the following amendment was adopted, as orally amended by Senator Mardesich:

On page 5, section 6, line 22, after "in" strike "same county" and insert "state".

Senator Woody moved adoption of the following amendment:

On page 5, section 6, line 25, after "process" and before the period insert ", and if no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered such agent".

#### POINT OF INQUIRY

Senator Washington: "Would Senator Woody yield? Is there a provision here that the person to whom you pay the rent be in this state? It is very possible that you might be sending your rent to someone outside the state?"

Senator Woody: "With the prior amendments and this amendment, if the landlord or the person named as an agent is outside the state then, you can give notice to the person to whom you pay the rent, even though that person is outside the state. It is an optional. You can give notice to that person."

The motion by Senator Woody carried and the amendment to page 5, section 6, line 25 was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 5, section 6, beginning on line 33, strike the remainder of the section and insert the following:

"In the event of any conflict between the provisions of subsection (1) of this section and any other subsections of this section, the provisions of subsection (1) shall control."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger further yield? Somewhere in the course of time when we were debating this, or discussing it in committee, I proposed an amendment and it was adopted at that time. I do not know where it is right now in this bill. I have not been able to find it. It says that if the landlord cannot turn off the electricity or the utilities, then there should be no lien against him that he would be compelled to pay to get them turned on again, because then you have put the landlord in this position. You have a tenant in there who will not pay his light bill, his water bill, his garbage bill. You will not let the landlord cut him off and then the utility company will make the landlord pick up the tab before you hook him up for the next one. Now that just cannot be fair or right and I am asking, has that been preserved in this bill?"

Senator Bottiger: "Senator Woodall, your amendment is still in the bill, but I must admit that there has come to the attention of at least myself and other friends of the bill that the repeal of the section language would jeopardize the bonds of all the water companies, utility, and sewer companies all over the state. The only answer I can give to your problem is that the landlord-tenant agreement whereby the tenant pays the utilities should be considered part of the tenant's rent. As soon as he does not pay them, he is in violation of the act and the landlord can immediately move him out."

Senator Woodall: "Senator Bottiger, I guess we are premature. We are not at that section, but as a practical matter you know what you have just said is theoretical only and practically cannot apply because if there is one dispute, why then he gets to carry on just the same and in the meantime he is running up ungodly light bills and water bills which the landlord is, the utility company sticks him for, before you let him come in and before they will connect for the next person. Now it would seem to me that if the contract is going to be between the power company or the phone company or whoever it is and the tenant, then they should look to him and to him alone. They should not be able to look to the landlord and make him pick up the tab for someone else's default and misdoing."

The motion by Senator Rasmussen carried and the amendment to page 5, section 6, beginning on line 33 was adopted.

On motion of Senator Odegaard, the following amendment was adopted:

On page 6, section 7, line 8, following "person" and before "in", strike "designed" and insert "designated".

On motion of Senator Woody, the following amendments were adopted:

On page 6, section 7, line 16, after "heat" and before "or" insert "as agreed upon in the rental agreement".

On page 6, section 8, line 32, after "rent" and before "before" insert "including all utilities which the tenant has agreed in the rental agreement to pay".

On motion of Senator Bottiger, the following amendment was adopted:

On page 7, line 4, section 8, strike "." and insert " PROVIDED FURTHER, That this section shall not be construed as limiting the tenant's right in an unlawful detainer proceeding to raise the defense that there is no rent due and owing."

Senator Rasmussen moved adoption of the following amendment:

On page 6, section 8, line 33 beginning with ", except" strike all material down to the period in line 4, page 7.

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Francis yield? Senator Francis, are you suggesting that a person might not have an action under this bill even though his rent were not paid in

the case of negligence on the part of the landlord? I do not think that follows. That action would still be open to him."

Senator Francis: "I would argue, certainly, that this section would not deprive him of it. However, in committee it was determined and in a number of subcommittee meetings it was determined that it was at least ambiguous, that some people felt that if there were no remedies that they were also deprived of a civil action for negligence and that that action was conditioned. All we are saying here is that this section will not be construed as so doing, in order to eliminate any possible ambiguity. And having worked with some much older lawyers over a period of time, I learned that when you have a chance to eliminate ambiguities, why gamble about it and take a chance of what the court is going to do. Why not make certain?"

Senator Mardesich: "I would only say that I do not believe the problem is as great as it appears to be. He would have his remedies at law with respect to this measure as I have read it so far."

The motion by Senator Rasmussen failed and the amendment, as orally amended by Senator Mardesich, was not adopted on a rising vote.

#### MOTION

At 1:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, March 26, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## EIGHTEENTH DAY

### NOON SESSION

Senate Chamber, Olympia, Wash., Monday, March 26, 1973.

The Senate was called to order at 12:00 noon by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Francis, Keefe, Sellar and Whetzel.

The Color Guard, consisting of Pages Theodore Gelber and Kathleen Gregory, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

"HOW DO YOU SEE US THIS DAY, LORD, ASSEMBLED HERE IN THE MARBLE HALLS OF THIS UPPER HOUSE FOR THE PURPOSE OF CONSIDERING AND PASSING JUST AND EQUITABLE LAWS ON BEHALF OF THE CITIZENRY OF THIS GREAT STATE? DO YOU FIND US PRAISING YOU WITH LIVES GIVEN WHOLLY TO DEDICATED AND UNSELFISH SERVICE? ALMIGHTY AND MERCIFUL GOD AND FATHER OF US ALL, USE NOW THESE OPENING MOMENTS OF ANOTHER LEGISLATIVE WEEK AS A MEANS OF FREEING US TO SERVE AND LOVE YOU AND OUR FELLOWMEN AS WE OUGHT. TAKE THE 'IMP' OUT OF THE SEEMINGLY IMPOSSIBLE IMPASSE AND 'LET JUSTICE ROLL ON LIKE A MIGHTY RIVER, AND INTEGRITY FLOW LIKE A NEVER FAILING STREAM!' MAY THERE BE PRAYERS OF COMMITMENT FROM EACH HEART HERE TO THAT END. FOR YOUR LOVE'S SAKE, WE ASK IT. AMEN."

### MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Phillip and Steve Mahre and appointed a special committee consisting of Senators Gardner, Bottiger, Washington and Matson to escort the honored guests to a place of honor upon the rostrum.

### MOTION

Senator Gardner moved adoption of the following resolution:

### SENATE RESOLUTION 1973-47

By Senators Gardner, Bottiger, Matson, Murray, Washington, Mardesich, Durkan and Fleming:

WHEREAS, The young people of today will be the leaders of this state and nation tomorrow; and

WHEREAS, Outstanding achievement in athletic competition deserves recognition as an inspiration to all of our citizens; and

WHEREAS, On March 16th of this year Phillip Mahre won the North American Junior Alpine Ski Championship held at Crystal Mountain; and

WHEREAS, Phillip and his twin brother Steve, two of the nine Mahre children, were fine representatives of our state in the competition which had contestants from throughout the United States and Canada; and

WHEREAS, Phillip spends many of his leisure time hours skiing since the family residence is located at White Pass where his father is hill manager for White Pass Corporation; and

WHEREAS, Phillip is a sophomore at Naches High School where he is an honor student and participates in football and track;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that Phillip Mahre be commended and congratulated for his championship skiing performance and that he be encouraged to continue his efforts on behalf of his family, school, and state;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to Phillip and his family and to the principal of Naches High School.

#### REMARKS BY SENATOR GARDNER

Senator Gardner: "I would like to make just two quick points here. One, there is a feeling abroad that skiing is an avocation and a sport mostly for the affluent. I think the Mahres are an example. They are from a family of nine children. They are a hard working family and the boys themselves decided that they have to work very hard in their own right to support their habit which is skiing.

"The second point is that we have honored champions before this body, most recently thanks to Senator Stortini, the Wilson High School swim team, and we have seen a lot of champions, and the effort and dedication required of these boys to train and in Phil's case to win the North American Championships which means he had to win the combined in three different events is no less than any other champion that we have honored here. And so, Phil, and to you, Steve, we just as a group want to thank you and honor you for the hard work and the accomplishments that you have achieved."

#### REMARKS BY SENATOR WASHINGTON

Senator Washington: "I want to add my congratulations, particularly since they go to high school in Naches, which is a part of my new district in Yakima. And also, most of the residences at White Pass and the condominiums are in my district; most of the good skiing, I believe, is in the other districts. But it is a real pleasure to have you two as students in the high school at Naches and I really want to add my congratulations to all of those that have been given to you in the past. Thanks very much."

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The President would also like to add that it is my understanding that despite the time that it takes to enter all this competition, all the training, practicing, and the traveling, that these youngsters both maintain a very high, better than three point, grade average. I will not try to give the decimal point because I do not remember it, but that in itself is an achievement."

#### PRESIDENT PRO TEMPORE'S PRIVILEGE

President Pro Tempore Henry: "At this time I would like to present to Phillip the Distinguished Citizen Award for the state of Washington. It gives me a great deal of pleasure, Phillip. And also, something that was overlooked a little earlier, you are also, this was just

sent to me by the Secretary of State and the Governor's office, you are also designated as a Distinguished Washington Citizen. Again, another one. I might also say that it has been my understanding that the brother is excellent competition, and I do not know whether Phillip tripped him or not, but they say if he had not fallen it would have been a dead heat at the bottom of the hill. At any rate, the parents and the sister at the back of the room, would you please stand? You should be very proud of these nice looking young twins up here."

The motion by Senator Gardner carried and the resolution was unanimously adopted. There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

March 22, 1973.

SENATE BILL NO. 2264, prohibiting alteration of motor vehicle suspension (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2264 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Guess, Jolly, Mattingly, Peterson (Lowell), Sellar, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

March 26, 1973.

SENATE BILL NO. 2554, implementing the laws on prevention of cruelty to animals (reported by Committee on Local Government):

MAJORITY recommendation: That Substitute Senate Bill No. 2554 be substituted therefor and the substitute bill do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray.

Passed to Committee on Rules for second reading.

March 23, 1973.

SENATE JOINT RESOLUTION NO. 128, amending the state constitution (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

March 24, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 291, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 24, 1973.

Mr. President: The House has passed:

SUBSTITUTE HOUSE BILL NO. 351,

ENGROSSED HOUSE BILL NO. 376,

SUBSTITUTE HOUSE BILL NO. 519,

HOUSE BILL NO. 617,

HOUSE BILL NO. 1035, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 24, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2071, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.



## REPORT OF CONFERENCE COMMITTEE

March 24, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2071, establishing an additional justice of peace in specified districts, have had the same under consideration, and we report that we are unable to come to an agreement and respectfully request the powers of Free Conference and we recommend that the Senate concur in the House amendments to line 1 of the title; page 1, immediately following the enacting clause insert a new section; page 2, section 1, line 1; page 2, section 1, line 11; page 2, section 1, line 13; on page 2, section 2, line 27.

We also recommend that the bill be further amended as follows:

On page 2, section 2, line 1, after "county:" insert the following: "*PROVIDED, That in a justice court district having a population of one hundred twenty thousand people or more adjoining a metropolitan county of another state which has a population in excess of five hundred thousand, there shall be one full time justice in addition to the number otherwise allowed by this section and without regard to RCW 3.34.030 or resolution of the county commissioners.*"

On line 11 of the Judiciary Committee amendment to section 1, after "Lewis," strike "one" and insert "[one] "two".

Signed by: Senators Marsh and Twigg; Representatives Bauer, Smythe and Knowles.

## MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE HOUSE

March 24, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2278, with the following amendment:

On page 2, section 1, line 17 after "operation of" strike "school buses or" and after "vehicles" add "other than vehicles used in transporting persons for hire", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

Senator Walgren moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 2278, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 127, by Senators Gardner, Walgren and Jones:

Mandating study to develop procedure for screening certain children with learning disabilities.

Referred to Committee on Education.

SUBSTITUTE HOUSE BILL NO. 351, by Committee on Social and Health Services (originally sponsored by Representatives Lysen, Pardini, Ellis, Goltz, Eng and Van Dyk):

Increasing and reconstituting the membership of the state pharmacy board.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 376, by Representatives Gallagher, Johnson, Polk and King:

Creating an investment advisory committee and providing for the investment of certain public funds.

Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 519, by Committee on Local Government (originally sponsored by Representatives Lysen, Sommers and North (Lois):

Providing for nine port commissioners elected from districts coextensive with county councilman districts in Class AA counties.

Referred to Committee on Constitution and Elections.

HOUSE BILL NO. 617, by Representatives Charnley and King:

Providing for a public list of absentee ballot applications.

Referred to Committee on Constitution and Elections.

HOUSE BILL NO. 1035, by Representatives Charette and Rabel:

Permitting eighteen year old musicians to be employed in places where liquor is served.

Referred to Committee on Commerce.

#### MOTION

At 12:25 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2226, by Judiciary Committee (originally sponsored by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry) (by Executive request):

Providing residential landlord tenant laws.

The Senate resumed consideration, on second reading, of Substitute Senate Bill No. 2226, as amended on Saturday, March 24, 1973.

On motion of Senator Woody, the following amendment was adopted:

On page 7, section 9, line 5, after "notice," and before "as" insert "and expiration of the applicable period of time,".

Senator Rasmussen moved adoption of the following amendment:

On page 7, section 9, after "tenant" in line 7, strike the remainder of the section and insert "shall terminate the rental agreement and quit the premises upon written notice to the landlord without further obligation under the rental agreement, in which case he shall be discharged from payment of rent for any period following the quitting date, and shall be entitled to a pro rata refund of any prepaid rent, and shall receive a full and specific statement of the basis for retaining any of the deposit together with any refund due in accordance with section 28 of this 1973 amendatory act."

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

Senator Washington moved adoption of the following amendment:

On page 6, section 8, line 33, after "chapter" strike all the matter down to and including "act" on page 7, line 3.

#### POINT OF ORDER

Senator Woodall: "Didn't we act on this particular section last time and there were

specific amendments adopted to that particular section? I think he is attempting to undo what we did."

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Senator Woodall has withdrawn his point of order."  
Debate ensued.

#### POINT OF ORDER

Senator Murray: "Mr. President, I think Senator Woodall had an excellent point of order that he raised and withdrew. Would you rule on that same point of order at my request?"

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "His point of order was not well taken."

The motion by Senator Washington carried and the amendment was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 8, section 10, line 9 after "exceed" and before "percent" strike "ten" and insert "five".

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Bottiger yield to a question? Senator Bottiger, you mentioned that it costs quite a bit to have a person come in and replace the gasket in a faucet?"

Senator Bottiger: "I think what I said, Senator Rasmussen, is they will not even give you a bid on it. It costs more to give a bid than to put the gasket in."

Senator Rasmussen: "My question is, how many times a year can a person get this ten percent? For each individual job that he thinks needs to be done?"

Senator Bottiger: "No, Senator Rasmussen, an amount equal to ten percent in any calendar year."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? Senator Bottiger, if a person moves in on a month to month tenancy, there is no calculated period as to how long he will be there, can he within the first week that he is there or first month that he is there spend a sum of money equal to ten percent of a year's rental when he has himself only put up rent for one month? In other words, can he spend more the first month than he has paid to this particular landlord?"

Senator Bottiger: "Senator Woodall, he could not spend more than that unless he: One, found one of the defective conditions that are mentioned in the act; and two, obtain bids, call this to the notice of the landlord, obtain bids, give the landlord plenty of time to make the repair himself and found the landlord who refused to. If all of those things occur, the tenant under the risk of having an arbitrator or court rule that he was wrong could make repairs up to ten percent of the annual rental."

Senator Woodall: "That did not answer my question. My question was, could he obligate his landlord for more than one month's rent and at the end of that month he could go ahead and leave after having incurred that debt? Correct?"

Senator Bottiger: "Yes, I think he could."

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

On motion of Senator Rasmussen, the following amendments were adopted:

On page 8, section 10, line 9 after "unit" and before the colon insert "in any twelve-month period".

On page 8, section 10, line 10 after "must" and before "remedy" insert "commence to".

On motion of Senator Mardesich, the following amendment was adopted:

On page 8, section 10, line 14, after "deducted" insert "in any twelve-month period".

On motion of Senator Rasmussen, the following amendment was adopted:

On page 8, section 10, line 15 after "rental of the" and before "unit" in line 16 insert "tenant's".

On motion of Senator Mardesich, the following amendment was adopted:

On page 8, section 10, line 16, after "unit" insert a period and strike the remainder of the sentence.

Senator Rasmussen moved adoption of the following amendment:

On page 8, section 10, line 24 after "upon" and before "completion" insert "satisfactory".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

Senator Rasmussen moved adoption of the following amendment:

On page 8, section 10, line 26 after "the" and before "of" strike "cost" and insert "reasonable value".

#### POINT OF INQUIRY

Senator Day: "Would Senator Rasmussen yield to a question? What would happen if the tenant started to do this small plumbing job and really did not know what he was doing and broke off a pipe or something and really created a havoc, and now you have a one hundred and fifty dollar plumbing bill staring you in the face?"

Senator Rasmussen: "Senator Day, under the terms of this bill I presume the tenant would put his hat on and walk out and the landlord would be stuck with the bill to repair the house, frankly."

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 8, section 10, line 28, after "deducted" insert "in any twelve-month period" and strike "in any one calendar year" on lines 28 and 29.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 8, section 10, line 30 after "year" and before the period insert "or seventy-five dollars in any twelve-month period, whichever is the lesser".

On motion of Senator Guess, the following amendments were adopted:

On page 8, section 10, line 15, after "exceed" strike "ten percent of the annual" and insert "the sum expressed in dollars representing one month's".

On page 8, section 10, line 9, after "exceed" strike "ten percent of the annual" and insert "the sum expressed in dollars representing one month's".

Senator Rasmussen moved adoption of the following amendment:

On page 9, section 10, after "parties" in line 12 and before the period in line 13 strike ", and such agreement does not alter the landlord's obligations under this chapter".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Bottiger, the following amendments by Senator Bottiger were adopted:

On page 9, line 19, section 11, after "landlord" insert "in accordance with section 7 of this 1973 amendatory act".

On page 9, lines 20 and 21, section 11, strike "in accordance with section 7 of this 1973 amendatory act".

Senator Rasmussen moved adoption of the following amendment:

On page 9, section 11, strike all the material after "landlord" in line 19 and before the semicolon in line 21 insert "and a tenant has not received any deduction pursuant to section 10 of this 1973 amendatory act".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 9, section 11, line 22 after "arbitrator" and before "determine" strike "shall" and insert "may".

On motion of Senator Guess, the following amendment was adopted:

On page 10, section 11, line 2, after "exceed" strike "ten percent of the annual" and insert "the sum expressed in dollars representing one month's".

Senator Rasmussen moved adoption of the following amendments:

On page 10, section 11, line 3 after "of the" and before "unit" insert "tenant's".

On page 10, section 12, line 15 beginning with "PROVIDED" strike the remainder of the section down to the period in line 22.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? Senator Bottiger, as I read this language, it is one thing if a man has had his day in court, there has been a determination by a judge that these premises should remain closed. As I read this, the arbitrator on his own can petition and an order can come out and it then remains closed until such time as the particular landlord can get a day in court. Now you joined with me and others telling this body only a day ago how long it takes to get into King County court. Now would this not have the effect then, if the amendment of Senator Rasmussen is not adopted, that the arbitrator could on an ex-parte petition get an order of closure, the man's premises would then be closed down until such time as he could get a date on the crowded King County calendar?"

Senator Bottiger: "Senator Woodall, the answer to your question is probably yes, but I have to add to that that this bill does not provide for mandatory arbitration. It says if the parties agree to arbitration. Now if the landlord agrees to arbitration and submits to the arbitrator whether the premises are inhabitable or not, he is bound just as he would be under 704 to a decision of that arbitrator until he could get into court on an appeal. I do not think it adds anything to the present law in that respect."

The motion by Senator Rasmussen carried and the amendments were adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 10, section 12, line 13, strike "he" and insert "the court or arbitrator".

On motion of Senator Woody, the following amendment was adopted:

On page 10, section 13, line 23, after "shall" and before "comply" insert "pay the rental amount at such times and in such amounts as provided for in the rental agreement and".

Senator Rasmussen moved adoption of the following amendment:

On page 11, section 14, line 17 before "obligations" strike "reasonable".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 11, section 14, line 23 after "law" strike all material down to the period in line 25.

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 12, section 15, line 6 after "tenant" and before "notice" in line 7 strike "at least two day's" and insert "reasonable".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 12, section 18, line 30 after "within" and before "days" strike "thirty" and insert "ten".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

On motion of Senator Woody, the following amendment was adopted:

On page 13, section 18, line 17, after "emergency" and before the period insert "*PROVIDED*, That if the defective condition is remedied after the commencement of an unlawful detainer action, the tenant may be liable to the landlord for statutory costs and reasonable attorney's fees".

On motion of Senator Woody, the following amendment was adopted:

On page 13, section 19, line 23, after "nonconformance" delete remainder through line 27.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 14, section 23, beginning on line 20, strike all of subparagraph (b) and reletter the remaining subparagraphs accordingly.

Senator Rasmussen moved adoption of the following amendment:

On page 14, section 23, line 22 after "fees," and before "this" in line 24, strike "except as authorized in" and insert "contrary to the provisions of".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 14, section 23, beginning on line 24 strike all of subparagraph (d) and reletter the remaining subparagraphs accordingly.

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

Senator Fleming moved adoption of the following amendment:

On page 14, line 32, section 23, after "recover" and before "actual" insert "twice the".

Debate ensued.

The motion by Senator Fleming failed and the amendment was not adopted.

Senator Fleming moved adoption of the following amendment:

On page 15, line 11, section 23, insert after "for" and before "the" the word "double".

Debate ensued.

The motion by Senator Fleming failed and the amendment was not adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 15, section 23, line 18 after "may" and before "reduce" strike "waive or".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

Senator Bottiger moved adoption of the following amendment:

On page 15, section 24, following line 30, insert a new subsection as follows:

"(2) Activity of the tenant in organizing, encouraging, or participating in a tenant organization."

Renumber the remaining subsection.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? As I recall, we discussed this same thing in committee and it was voted out at that time. Is that not correct?"

Senator Bottiger: "The Judiciary Committee, in another rare instance, Senator Woodall, I believe, made an error."

Senator Woodall: "That was one of its finer hours. But anyway, getting back to facts, we discussed it and we voted it out on the premise that once someone was told of a condition that they would have to correct or else their tenancy would be terminated that all they would have to do would be to say, 'We have now organized an organization,' and thereafter they could not be moved. Now was not that thoroughly discussed and the Judiciary Committee decided pretty unanimously that that provision did not belong in the bill?"

Senator Bottiger: "Senator Woodall, I simply cannot agree that that is the situation. If the tenant were otherwise entitled to stay in possession after a complaint had been registered, the landlord could not use the fact that he had joined or participated in organizing a tenant organization as a reason for harassing him. Now if you will look at the harassment section, what we are talking about, increasing the rent, reducing the services, increasing the obligations of the tenant, harassment of the tenant. What we are saying is that the reprisal or retaliatory action cannot be brought against the tenant because he joined or participated in a tenant organization. Now this, I think, to everybody that understands labor law, this is like canning the president of the union because he is the president of the union. We are saying that that is kind of the same unfair tactic as far as the tenant is concerned, as all of us would agree it would be for an officer in a union. I think the same analogy parallel follows."

The motion by Senator Bottiger failed and the amendment was not adopted.

Senator Woody moved adoption of the following amendment:

On page 16, section 24, line 4, after "tenant" and before the semicolon insert "other than giving a notice to terminate tenancy as provided in section 20 of this 1973 amendatory act".

Debate ensued.

The motion by Senator Woody carried and the amendment was adopted on a rising vote.

On motion of Senator Woody, the following amendment was adopted:

On page 16, section 24, line 8 delete "(5) Harassment of the tenant." and line 7 after "tenant" strike the semicolon and insert a period."

On motion of Senator Rasmussen, the following amendment was adopted:

On page 17, section 27, line 26 after "bankruptcy" and before the comma insert "or receiver".

On motion of Senator Woody, the following amendment was adopted:

On page 17, section 28, line 33, after "agreement." add "No portion of any deposit shall be withheld on account of wear resulting from ordinary use of the premises."

On motion of Senator Rasmussen, the following amendments were adopted:

On page 18, section 28, line 7 before "including" strike "costs of arbitration or litigation" and insert "the cost of suit or arbitration".

On page 18, section 28, line 12 after "damage" and before "deposit" insert "or security".

On motion of Senator Woody, the following amendment was adopted:

On page 19, section 30, line 5, after "fee." add "It shall be unlawful for a tenant to intentionally cause the loss of utility services provided by the landlord, including water, heat, electricity or gas, excepting as resulting from the normal occupancy of the premises."

On motion of Senator Rasmussen, the following amendments were adopted:

On page 19, section 31, line 6 after "tenant" and before "indicates" in line 7, strike "wrongfully quits the dwelling unit and clearly" and insert "reasonably appears to have abandoned possession of the dwelling unit and reasonably".

On page 19, section 31, line 10 after "a" and before "effort" strike "reasonable" and insert "reasonable".

Senator Rasmussen moved adoption of the following amendment:

On page 19, section 31, line 31 after "After" and before "days" strike "sixty" and insert "thirty".

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Woody, the following amendment was adopted:

On page 20, section 31, line 4, after "tenant" and before the period insert "for a period of one year from the date of sale, and if no claim is made or action commenced by the tenant for the recovery thereof prior to the expiration of that period of time, the balance shall be the property of the landlord".

Senator Rasmussen moved adoption of the following amendment:

On page 20, section 32, line 11 after "act" strike all material down to the semicolon in line 13.

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted on a rising vote.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 21, section 33, line 27 after "mailed" and before "or" insert "by certified mail".

Senator Rasmussen moved adoption of the following amendment:

On page 21, section 33, beginning on line 31, strike all of subsection (5) down through the period in line 1 on page 22 and renumber the following subsection accordingly.

Debate ensued.

#### POINT OF INQUIRY

Senator Woody: "Will Senator Bottiger yield? Senator Bottiger, by this provision is it intended that tenants in the same apartment house who are not parties to an arbitration and who have not asked to be parties to an arbitration could be joined, or are you rather just trying to do what Senator Whetzel has been describing?"

Senator Bottiger: "Senator Woody, the intent of the committee or at least of the chairman of the subcommittee, is that the individual tenants would have had to voluntarily submit to arbitration. We made that very clear in the act that it could not be compulsory and I would join with Senator Whetzel's explanation that if you demand that there be separate arbitration for each one of the disputes, say in a thirty-unit apartment house, you are going to tie the landlord up for months. What we are trying to do here is the same thing we do in court, to consolidate cases so that you can have a speedy and adequate remedy at the least possible expense."

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 22, section 35, line 10 after "a" and before "gives" strike "tenant" and insert "party".

On motion of Senator Woody, the following amendments were adopted:

On page 22, section 36, lines 26 and 27, delete lines 26 and 27 and renumber the remaining subsections consecutively.

On page 22, section 36, line 31, after "ensuring" and before "safe" strike "decent,".

Senator Bottiger moved adoption of the following amendment:

On page 23, after line 3, insert a new section as follows:

**"NEW SECTION. Sec. 37.** Any violation of the provisions of this chapter shall be construed, for the purposes of application of the Consumer Protection Act, chapter 19.86 RCW, to constitute an unfair or deceptive act or practice or an unfair method of competition in the conduct of trade or commerce."

Renumber the remaining sections.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Bottiger yield? Does this give Slade Gorton some other branch to get into and to—he is kind of overworked now isn't he, with the cases he has over there? Do you think he needs more work?"

Senator Bottiger: "Senator Woodall, the understanding that I had from Mr. Clark from that division and the understanding based on experience of my own while I was with the division is that it takes just as much time to process a complaint you cannot do anything about as it takes to process a complaint you can handle. So I do not think it would cause any more work for them except that in a serious case you might find a court action that would not otherwise be authorized without this statute. But the Attorney General's office can by the assimilation and collection of the complaint, assist private tenants and private landlords in compiling the information necessary for private litigation."

Senator Woodall: "You mean information or taking suits under this? They would be taking cases, wouldn't they?"

Senator Bottiger: "He could take a case, but we are both aware of the limitations on



his budget and the amount of time he has, but he has to show in order to take a case that there is a pattern of false and deceptive practices, not the isolated incident."

Debate ensued.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Bottiger yield? Senator, I am not a lawyer and your amendment may be all right, but as I read it, it says, 'any violation of this chapter'. Now as I have been following these amendments, the violation could be on the part of the tenant; they could be on the part of the landlord, but as we follow through your amendment then, it refers to the Consumer Protection Act, and I want to know if a landlord is a consumer under that interpretation or is it just the tenant who is protected? My point is, Senator, I think if there is an abuse of the act, the protection should work both ways."

Senator Bottiger: "Senator Canfield, your unique mind has touched on something I cannot answer. I would presume that as the language is written it would allow the Attorney General, if he can show a pattern of false and deceptive practices, if he can show a tenant was engaged in a pattern of false and deceptive practices, as written that amendment, and again I am guessing without researching it, might permit the Attorney General to bring restraints action against that particular tenant. In answer to Senator Woodall, let us suppose that a particular landlord was systematically withholding rent deposits. Now the amount is fifty dollars or seventy-five dollars or a hundred dollars. It is very difficult to get a good lawyer to go after some guys for a hundred bucks. So there is where the Attorney General's office by practice now is able, if he is able to show a pattern of that kind of action on behalf of a tenant, could bring an action under the Attorney General's authority for a mandatory injunction against "X" landlord to return all of those deposits rather than force the people into individual class action-type suits. Now that is the authority the Attorney General has at the present time, I believe. I have seen these clippings in newspapers where he has taken action of that kind. If we pass this statute without this section, I think we prohibit him from doing that in the future and force it into the private litigation section. Now there is the problem. I cannot be hired to bring a hundred-dollar lawsuit. Now I do not know, maybe Senator Woodall can, but I cannot afford it. And what I think is that if there is that pattern there, there ought to be the Attorney General's office that can bring that kind of class action for the mandatory injunction."

Senator Canfield: "Senator Bottiger, I think you are trying to answer my question by inference and in your discussion you referred only to actions by the tenant. So I infer that you would say that the landlord would have no recourse under the Consumer Protection Act. You further state that a pattern would have to be established, whereas your amendment says 'any violation,' and 'any violation' is singular and would not constitute a pattern, in my opinion."

Senator Bottiger: "Senator Canfield, I am sorry. I thought I answered that. The amendment as written says, 'any violation of the provisions of this act.' Now there are other sections in the Attorney General's consumer protection division that talk about class actions. I am sorry, I just do not know the prior interpretations of the phrase 'any violation' except it is the standard phrase that we have added. We have passed the bill here on the camp clubs. We added this section to the camping club statute because we omitted it last time. And it is the same pattern section, as far as I know. I wish I could give you a briefer answer, but I am sorry I cannot at this time."

Senator Washington moved adoption of the following amendment to the amendment by Senator Bottiger:

After "Any" and before "violation" insert "pattern of".

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Washington yield? It is not exactly clear to me what pattern or practices both you and Senator Bottiger are trying to refer to. What do you have in mind?"

Senator Washington: "I was following the one that Senator Bottiger gave where frequently there is a pattern of activity wherein the landlord withholds the refunds. That is a good example. Instead of just being a single violation as it says here, it would have to be a pattern of this type of violation. There may be a better word, but that is the best I can think of."

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Bottiger, will you yield to a question? Was that what you had in mind with your proposal?"

Senator Bottiger: "That is fine with me. I have no objection. As amended, Senator Rasmussen, in all fairness, as worded it says 'any violation', i.e. singular. The past intent and the limitation of authority on the Attorney General's office is to show a pattern of actions before he can bring anything into court. I think you and I will remember the used car dealer in Tacoma that ran for mayor. For two years we put together a file on the things he was doing, and after I left the office, Mr. Gilman brought the action showing a pattern of deceptive practices. Now that has been the limitation of the Attorney General's authority for as long as I have known."

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Bottiger yield again please? Senator, if you will enlighten one who is just a lay person, would a violation under this Consumer Protection Act involve double or treble damages?"

Senator Bottiger: "There are certain classifications under the Attorney General's Consumer Protection Act that do provide treble damages, and I do not have the statute here in front of me to be able to tell you exactly what they are."

Senator Canfield: "Now Senator Fleming had some amendments awhile ago providing for double damages and now are you saying that this would come around through the other door and permit double damages or triple?"

Senator Bottiger: "There is a civil penalty under the Attorney General's authority, and again I would have to get it. I believe it goes to the state where, if you can show a pattern of deceptive practices, one of the things the court can do is award up to treble damages as a civil penalty. They are usually reserved for the antitrust-type things. But I would have to have the statute right in front of me to be able to honestly answer that question."

Debate ensued.

The motion by Senator Washington carried and the amendment to the amendment by Senator Bottiger was adopted.

The motion by Senator Bottiger failed and the amendment, as amended, was not adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 1, section 1, beginning on line 19, after "through" strike "37" and insert "43".

Senator Whetzel moved adoption of the following amendment:

On page 23, beginning on line 8, strike sections 38, 39, 40, 41 and 42 and insert the following:

*"NEW SECTION.* Sec. 38. The plaintiff, at the time of commencing an action of forcible entry or detainer or unlawful detainer, or at any time afterwards, upon filing the complaint, may apply to the judge of the court in which the action is pending for an order directing the defendant to appear and show cause, if any he has, why a writ of restitution should not issue restoring to the plaintiff possession of the property in the complaint described, and the judge shall by order fix a time and place for a hearing of said motion, which shall not be less than six nor more than twelve days from the date of service of said order upon defendant. A copy of said order, together with a copy of the summons and complaint if not previously served upon the defendant, shall be served upon the defendant. Said order shall notify the defendant that if he fails to appear and show cause at the time and place specified by the order the court may order the sheriff to restore possession of the

property to the plaintiff and may grant such other relief as may be prayed for in the complaint and provided by this chapter.

*NEW SECTION.* Sec. 39. At the time and place fixed for the hearing of plaintiff's motion for a writ of restitution, the defendant, or any person in possession or claiming possession of the property, may answer, orally or in writing, and assert any legal or equitable defense or set-off arising out of the tenancy. If the answer is oral the substance thereof shall be endorsed on the complaint by the court. The court shall examine the parties and witnesses orally to ascertain the merits of the complaint and answer, and if it shall appear that the plaintiff has the right to be restored to possession of the property, the court shall enter an order directing the issuance of a writ of restitution, returnable ten days after its date, restoring to the plaintiff possession of the property and if it shall appear to the court that there is no substantial issue of material fact of the right of the plaintiff to be granted other relief as prayed for in the complaint and provided for in this chapter, the court may enter an order and judgment granting so much of such relief as may be sustained by the proof, and the court may grant such other relief as may be prayed for in the plaintiff's complaint and provided for in this chapter, then the court shall enter an order denying any relief sought by the plaintiff for which the court has determined that the plaintiff has no right as a matter of law: PROVIDED, That within three days after the service of the writ of restitution the defendant, or person in possession of the property, may, in any action for the recovery of possession of the property for failure to pay rent, stay the execution of the writ pending final judgment by paying into court or to the plaintiff, as the court directs, all rent found to be due and all the costs of the action, and in addition by paying, on a monthly basis pending final judgment, an amount equal to the monthly rent called for by the lease or rental agreement at the time the complaint was filed: PROVIDED FURTHER, That before any writ shall issue prior to final judgment the plaintiff shall execute to the defendant and file in the court a bond in such sum as the court may order, with sufficient surety to be approved by the clerk, conditioned that the plaintiff will prosecute his action without delay, and will pay all costs that may be adjudged to the defendant, and all damages which he may sustain by reason of the writ of restitution having been issued, should the same be wrongfully sued out. The court shall also enter an order directing the parties to proceed to trial on the complaint and answer in the usual manner.

If it appears to the court that the plaintiff should not be restored to possession of the property, the court shall deny plaintiff's motion for a writ of restitution and enter an order directing the parties to proceed to trial on the complaint and answer in the usual manner. If it appears to the court that there is a substantial issue of material fact as to whether or not the plaintiff is entitled to other relief as is prayed for in plaintiff's complaint and provided for in this chapter, or that there is a genuine issue of a material fact pertaining to a legal or equitable defense or set-off raised in the defendant's answer, the court shall grant or deny so much of plaintiff's other relief sought and so much of defendant's defenses or set-off claimed, as may be proper, and any remaining issue shall be set to be tried within thirty days of the return date as provided for in this section.

*NEW SECTION.* Sec. 40. The sheriff shall, upon receiving the writ of restitution, forthwith serve a copy thereof upon the defendant, his agent, or attorney, or a person in possession of the premises, and shall not execute the same for three days thereafter, and the defendant, or person in possession of the premises within three days after the service of the writ of restitution may execute to the plaintiff a bond to be filed with and approved by the clerk of the court in such sum as may be fixed by the judge, with sufficient surety to be approved by the clerk of said court, conditioned that they will pay to the plaintiff such sum as the plaintiff may recover for the use and occupation of the said premises, or any rent found due, together with all damages the plaintiff may sustain by reason of the defendant occupying or keeping possession of said premises, and also all the costs of the action. The plaintiff, his agent or attorneys, shall have notice of the time and place where the court or judge thereof shall fix the amount of the defendant's bond, and shall have notice and a reasonable opportunity to examine into the qualification and sufficiency of the sureties upon said bond before said bond shall be approved by the clerk. The writ may be served by the sheriff, in the event he shall be unable to find the defendant, an agent or attorney, or a person in possession of the premises, by affixing a copy of said writ in a conspicuous place upon the premises.

*NEW SECTION.* Sec. 41. On or before the day fixed for his appearance the defendant may appear and answer. The defendant in his answer may assert any legal or equitable defense or set-off arising out of the tenancy.

*NEW SECTION.* Sec. 42. If upon the trial the verdict of the jury or, if the case be tried without a jury, the finding of the court be in favor of the plaintiff and against the defendant, judgment shall be entered for the restitution of the premises; and if the proceeding be for unlawful detainer after neglect or failure to perform any condition or covenant of a lease or agreement under which the property is held, or after default in the payment of rent, the judgment shall also declare the forfeiture of the lease, agreement or tenancy. The jury, or the court, if the proceedings be tried without a jury, shall also assess the damages arising out of the tenancy occasioned to the plaintiff by any forcible entry, or by any forcible or unlawful detainer, alleged in the complaint and proved on the trial, and, if the alleged unlawful detainer be after default in the payment of rent, find the amount of any rent due, and the judgment shall be rendered against the defendant guilty of the forcible entry, forcible detainer or unlawful detainer for the amount of damages thus assessed and for the rent, if any, found due, and the court may award statutory costs and reasonable attorney's fees. When the proceeding is for an unlawful detainer after default in the payment of rent, and the lease or agreement under which the rent is payable has not by its terms expired, execution upon the judgment shall not be issued until the expiration of five days after the entry of the judgment, within which time the tenant or any subtenant, or any mortgagee of the term, or other party interested in the continuance of the tenancy, may pay into court for the landlord the amount of the judgment and costs, and thereupon the judgment shall be satisfied and the tenant restored to his tenancy; but if payment, as herein provided, be not made within five days the judgment may be enforced for its full amount and for the possession of the premises. In all other cases the judgment may be enforced immediately. If writ of restitution shall have been executed prior to judgment no further writ or execution for the premises shall be required."

Senator Woody moved adoption of the following amendments to the amendment by Senator Whetzel:

On line 6, page 23, strike "judge of the" and insert "superior".

On page 25, section 40, line 33, after "premises," and before "and" insert "together with all damages which the court theretofore has awarded to the plaintiff as provided in this 1973 amendatory act,".

Debate ensued.

#### POINT OF INQUIRY

Senator Woody: "Would Senator Whetzel yield? Senator Whetzel, we made two amendments already to the existing one in section 38 redefining it to superior court and one in section 40, which your amendment does not consider."

Senator Whetzel: "In my motion I moved that those amendments be added to my new section so that they would be reinstated as your two amendments were added to those sections."

Senator Woody: "A further question, Senator Whetzel. Your amendment would not change any of the substantive law provided in the existing sections 38 through 42 excepting that they would not provide for commercial property. Is this correct?"

Senator Whetzel: "That is right."

The motion by Senator Woody carried and the amendments to the amendment by Senator Whetzel were adopted.

The motion by Senator Woody carried and the amendment, as amended, was adopted.

On motion of Senator Whetzel, the following amendments were adopted:

On page 27, add a new section following section 42 as follows:

*"NEW SECTION.* Sec. 43. The provisions of RCW 59.12.090, 59.12.100, 59.12.121, and 59.12.170 shall not apply to any rental agreement included under the provisions of Chapter . . . (SSB No. 2226)."

Re-number the remaining sections consecutively.

On page 28, section 46, subsection (6), strike lines 16 and 17.

Senator Murray moved adoption of the following amendment:

On page 27, line 18, after the period add a new section as follows:

"NEW SECTION. Sec. . . . The provisions of this 1973 amendatory act shall not apply to any lease of a single family dwelling for a period of a year or more or to any lease of a single family dwelling containing a bona fide option to purchase by the tenant if such lease is for a period of six months or more: PROVIDED, That an attorney for the tenant must approve on the face of the agreement any lease exempted from the provisions of this act as provided for in this section."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Murray yield? Senator Murray, the second portion of your amendment says, 'or through any lease of single family residence containing a bona fide option to purchase by the tenant if such lease is for a period of six months or more'. The Marsh amendment which is on page 3 exempted out any occupancy under a bona fide earnest money agreement to purchase or a bona fide option to purchase. It did not have the six months. The problem that I could foresee is that a court could look at the first section on page 3 of your amendment and wonder whether a lease that was to go for one month, two months, three months, anything less than six months, but had a really truly bona fide option to purchase, whether it would be subject to this act. I think it might be ruled these two provisions are inconsistent."

Senator Murray: "Senator Woody, I feel that you are probably right. The net effect of this would be to say that the option had to be for a period of six months in order to qualify for this exemption. As far as that is concerned, I would have no objection to striking that entire clause with the feeling that Senator Marsh's amendment does take care of that portion of it."

Senator Woody: "Beginning with, 'if such lease is for a period of six months or more'."

Senator Murray: "However, I do not think that this really negates the effect that Senator Marsh was looking for. It would merely require that a lease with an option would have to be for a period of at least six months in order to qualify."

On motion of Senator Marsh, the following amendment to the amendment by Senator Murray was adopted:

In line 4 of the amendment, after "tenant" and before ": PROVIDED" strike "if such lease is for a period of six months or more".

The motion by Senator Murray carried and the amendment, as amended, was adopted.

Senator Whetzel moved adoption of the following amendment by Senator Talley:

On page 28, beginning on line 6, strike all of subsections 1 through 5, of section 46, down to and including "and" on line 15.

Debate ensued.

The motion by Senator Whetzel carried and the amendment was adopted.

On motion of Senator Whetzel, the following amendment to the title was adopted:

In line 1 of the title after "property," beginning with "amending" strike all material down to and including "59.12 RCW;" on lines 6 and 7.

On motion of Senator Whetzel, the following amendment by Senator Talley to the title was adopted:

Beginning on line 8 of the title after "sections", strike all material down to and including "RCW 57.08.090", on line 15.

On motion of Senator Whetzel, the following amendment to the title was adopted:

In line 15 of the title after "RCW 57.08.090" beginning with "; repealing" strike all material down to and including "penalties" on line 17.

On motion of Senator Fleming, Engrossed Substitute Senate Bill No. 2226 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

On motion of Senator Mardesich, Engrossed Substitute Senate Bill No. 2226 was ordered placed on the third reading calendar for Tuesday, March 27, 1973.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2036, Senate Bill No. 2518 and Senate Concurrent Resolution No. 124 were ordered to hold their places on the second reading calendar for Tuesday, March 27, 1973.

## SECOND READING

SENATE BILL NO. 2250, by Senators Henry and Woodall:  
Implementing laws relating to size, weight, and load of motor vehicles.

## MOTION

On motion of Senator Woodall, Substitute Senate Bill No. 2250 was substituted for Senate Bill No. 2250 and the substitute bill was placed on second reading and read the second time in full.

## MOTION

On motion of Senator Bailey, Substitute Senate Bill No. 2250 was ordered held on the second reading calendar for Tuesday, March 27, 1973.

## MOTION

At 4:50 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, March 27, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**NINETEENTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Tuesday, March 27, 1973.

The Senate was called to order at 9:30 p.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senator Talley.

The Color Guard, consisting of Pages Romaine Jackson and Jane Shiers, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

"OUR FATHER GOD, YOUR WORD DECLARES THAT 'IT IS A PRIME REQUISITE IN A TRUSTEE THAT HE SHOULD PROVE WORTHY OF HIS TRUST.' WE MUST CONFESS THAT TOO OFTEN WE ARE NOT GOOD TRUSTEES OF ALL THAT YOU AND OUR FELLOWMEN HAVE ENTRUSTED TO US. WE ARE RELUCTANT TO GIVE THE OPPOSITION AN IMPARTIAL HEARING, AND TOO EASILY WE JUSTIFY OUR FAILURE TO SUPPORT A RIGHTEOUS CAUSE AS GENEROUSLY AS WE SUPPORT OUR OWN INTERESTS. WE KNOW WHAT WE WOULD LIKE OTHERS TO DO FOR US, BUT WE FIND IT DIFFICULT TO BE UNSELFISHLY CONSIDERATE OF OTHERS. FORGIVE OUR LACK OF CONCERN AND ACTION. FORGIVE US, AND THEN USE US IN BRINGING TO PASS YOUR RIGHTEOUS WILL AND PURPOSE. THROUGH CHRIST OUR LORD. AMEN."

**MOTION**

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

March 23, 1973.

SENATE BILL NO. 2328, adopting the operations and capital improvements budget for the state highway commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2328 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Mattingly, Peterson (Lowell), Rasmussen, Talley, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

March 24, 1973.

SENATE BILL NO. 2583, revising motor vehicle overweight fee schedules (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2583 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Matson, Mattingly, Peterson (Lowell), Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 26, 1973.

SENATE BILL NO. 2762, providing a method for hiring certain supervisory employees in the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 27, 1973.

SENATE CONCURRENT RESOLUTION NO. 127, mandating study to develop procedure for screening certain children with learning disabilities (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Odegaard.

Passed to Committee on Rules for second reading.

March 26, 1973.

SUBSTITUTE HOUSE BILL NO. 351, increasing and reconstituting the membership of the state pharmacy board (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Woody.

Passed to Committee on Rules for second reading.

March 27, 1973.

ENGROSSED HOUSE BILL NO. 638, providing for the regulation of debenture companies (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander, Walgren.

Passed to Committee on Rules for second reading.

March 26, 1973.

ENGROSSED HOUSE BILL NO. 721, changing certain of the laws relating to insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Mardesich.

Passed to Committee on Rules for second reading.

March 26, 1973.

HOUSE JOINT MEMORIAL NO. 6, requesting earnings limitation on social security recipients be raised (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.



Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Keefe, Murray, Woody.  
 Passed to Committee on Rules for second reading.

March 26, 1973.

ENGROSSED HOUSE JOINT MEMORIAL NO. 10, requesting Congress to take action on health care services for the elderly (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Francis, Jones, Murray, Woody.  
 Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 26, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 291, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 26, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 349,

ENGROSSED HOUSE BILL NO. 515,

ENGROSSED HOUSE BILL NO. 720,

SUBSTITUTE HOUSE BILL NO. 722,

ENGROSSED HOUSE BILL NO. 766, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:  
 HOUSE BILL NO. 291.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of State Representative Mike Parker and Bruce Leroy, of the Washington State Historical Society and appointed a special committee consisting of Senators Stortini and Atwood to escort the honored guests to a place of honor upon the rostrum.

MOTION

On motion of Senator Stortini, the following resolution was unanimously adopted:

SENATE RESOLUTION 1973-48

By Senators Stortini, Knoblauch and Gardner:

WHEREAS, Major Clarence M. Barton was a prominent leader in the movement for statehood in Washington and secretary of the first state constitutional convention; and

WHEREAS, Major Barton was the creator and author of "Barton's Handbook of Washington", which was the original legislative manual used by the members of the Washington state legislature; and

WHEREAS, Major Barton was a respected newspaperman and the founder of the Olympian Tribune; and

WHEREAS, Major Barton was the first secretary of the Washington State Senate and the first curator of the Washington State Historical Society; and

WHEREAS, The Parker family of Tacoma, direct descendants of Major Barton, have offered to the Washington State Historical Society various personal articles and private papers of Major Barton;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, on behalf of the citizens of this state, accepts these historical gifts relating to one of the most prominent of our early citizens, and expresses gratitude to the Parker family for their generosity.

BE IT FURTHER RESOLVED, That a suitable inscribed copy of this resolution be transmitted by the Secretary of the Senate to members of the Parker family.

With leave of the Senate, business was suspended to permit Representative Parker, a great, great grandson of Major Clarence M. Barton, to present to the Washington State Historical Society, a bust of Major Barton. Representative Parker also presented legislative manuals to the Society dating to the time Major Barton served as the first Secretary of the Senate.

The special committee escorted the honored guests from the Senate Chamber.

There being no objection, the Senate returned to the fifth order of business.

### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2909, by Senator Metcalf:

An Act relating to the state payroll; establishing a unified system of payroll accounting; and adding new sections to chapter 42.16 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 2910, by Senator Grant:

An Act relating to elections.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2911, by Senator Grant:

An Act relating to elections.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2912, by Senator Grant:

An Act relating to elections.

Referred to Committee on Constitution and Elections.

SENATE BILL NO. 2913, by Senators Lewis (Harry), Ridder, Durkan, Atwood and Mardesich:

An Act relating to state government; amending section 3, chapter 17, Laws of 1963 ex. sess. as amended by section 1, chapter 128, Laws of 1967 and RCW 41.52.030; amending section 4, chapter 17, Laws of 1963 ex. sess. as amended by section 2, chapter 128, Laws of 1967 and RCW 41.52.040; amending section 3, chapter 128, Laws of 1967 and RCW 41.52.050; amending section 4, chapter 128, Laws of 1967 and RCW 41.52.060; amending section 1, chapter 160, Laws of 1967 and RCW 41.52.070; amending section 28B.50.570, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.570; amending section 2, chapter 78, Laws of 1949 and RCW 41.04.050; amending section 7, chapter 274, Laws of 1947 as amended by section 4, chapter 291, Laws of 1961 and RCW 41.40.065; amending section 7, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.070; amending section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060; amending section 6, chapter 209, Laws of 1969 ex. sess. as amended by section 1, chapter 216, Laws of 1971 ex. sess. and RCW 41.26.060; amending section 7, chapter 207, Laws of 1939 and RCW 41.28.060; amending section 14, chapter 80, Laws of 1947 and RCW 41.32.140; amending section 15, chapter 80, Laws of 1947 and RCW 41.32.150; amending section 36, chapter 80, Laws of 1947 as last amended by section 8, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.360; amending section 6, chapter 274, Laws of 1947 as last amended by section 4, chapter 174, Laws of 1963 and RCW 41.40.060; amending section 4, chapter 71, Laws of 1947 and RCW 41.44.040; amending section 8, chapter 71,

Laws of 1947 as last amended by section 2, chapter 227, Laws of 1961 and RCW 41.44.080; amending section 43.43.200, chapter 8, Laws of 1965 and RCW 43.43.200; adding a new section to chapter 41.04 RCW; adding new sections to chapter 41.52 RCW; repealing section 1, chapter 17, Laws of 1963 ex. sess., section 2, chapter 10, Laws of 1969 and RCW 41.52.010; and repealing section 2, chapter 17, Laws of 1963 ex. sess. and RCW 41.52.020.

Referred to Committee on Ways and Means.

There being no objection, additional sponsors were permitted on Senate Bill No. 2913.

SENATE JOINT MEMORIAL NO. 125, by Senators Washington, Whetzel, Peterson (Ted), Durkan and Mardesich:

Memorializing the President and Congress in favor of legislation expressing the intent of Senate Bill No. 836.

#### MOTIONS

There being no objection, additional sponsors were permitted on Senate Joint Memorial No. 125.

On motion of Senator Mardesich, Senate Joint Memorial No. 125 was advanced to second reading and read the second time in full.

On motion of Senator Guess, the following amendment was adopted:

On line 12 after "social" insert ", economic".

On motion of Senator Mardesich, Engrossed Senate Joint Memorial No. 125 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

#### POINT OF INQUIRY

Senator Francis: "Will Senator Mardesich yield? Senator Mardesich, at first glance it looks like by this memorial we are endorsing and asking for the construction of deep draft oil docking facilities. I take it that that is not the intention of this memorial and by this memorial we are not asking that those facilities be put in but merely that this state have some input as to not only where but whether such facilities are put in."

Senator Mardesich: "That is the intent of the proposal and a close reading will indicate that is exactly what it says."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 125, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senators Guess, Mattingly-2.

Absent or not voting: Senators Lewis (Harry), Scott, Talley-3.

ENGROSSED SENATE JOINT MEMORIAL NO. 125, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING

SENATE JOINT RESOLUTION NO. 132, by Senator Grant:

Amending the Constitution.

Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 133, by Senator Grant:  
Amending the Constitution.  
Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 134, by Senator Grant:  
Amending the Constitution.  
Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 135, by Senator Grant:  
Amending the Constitution.  
Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 136, by Senator Grant:  
Amending the Constitution.  
Referred to Committee on Constitution and Elections.

SENATE JOINT RESOLUTION NO. 137, by Senator Grant:  
Amending the Constitution.

#### MOTION

On motion of Senator Bottiger, Senate Joint Resolution No. 137 was referred to the Judiciary Committee.

ENGROSSED HOUSE BILL NO. 349, by Representatives Gallagher, Parker, Juelling, Erickson, Kelley and Gaspard:  
Regulating commercially licensed troll vessels.  
Referred to Committee on Natural Resources.

ENGROSSED HOUSE BILL NO. 515, by Representatives Martinis, Johnson and Juelling:  
Pertaining to public work contracts in first class cities.  
Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 720, by Representatives Shinpoch, Kopet, Bagnariol, Chatalas, Bluechel and Kraabel:  
Centralizing and unifying state data processing facilities.  
Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 722, by Committee on Commerce (originally sponsored by Representatives Eikenberry, Chatalas, Nelson, Eng, Paris and Curtis) (by Executive request):  
Implementing laws relating to solicitation of funds for charity.  
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 766, by Representatives Kopet, Kuehnle, Hurley and Hendricks:  
Providing for the regulation of legend drugs.  
Referred to Committee on Social and Health Services.

#### MOTION

On motion of Senator Lewis (Harry), Senate Concurrent Resolution No. 125 was ordered to hold its place on the second reading calendar for Wednesday, March 28, 1973.

## MOTION

On motion of Senator Walgren, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-49

By Senators Walgren, Gardner and Stortini:

WHEREAS, The Knights of East Bremerton High School won the State Class AA Basketball Championship on Saturday, March 24, 1973; and

WHEREAS, Skill, physical conditioning, and coaching were necessary throughout the season, especially in the tournament; and

WHEREAS, Coach Les Eathorne had led the Knights to a second place finish in the tournament a year ago; and

WHEREAS, The fine all-around team play of the members manifested itself in an outstanding season's record, including twenty-four consecutive victories; and

WHEREAS, The achievements of these fine young athletes are an inspiration to all the people of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the members of the basketball team and coach Les Eathorne of East Bremerton High School be congratulated for their recent championship performance.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the principal of East Bremerton High School, to Coach Les Eathorne, and to each member of the Knights team.

## MOTION

At 10:10 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

President Pro Tempore Henry called the Senate to order at 12:35 p.m.

## MOTION

At 12:35 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

## MOTIONS

On motion of Senator Bailey, the following bills were ordered to hold their places on the third reading calendar for Wednesday, March 28, 1973: Substitute Senate Bill No. 2226 and Senate Bill No. 2129.

On motion of Senator Bailey, the following bills were ordered to hold their places on the second reading calendar for Wednesday, March 28, 1973: Senate Bill No. 2036 and Senate Bill No. 2518.

On motion of Senator Henry, Substitute Senate Bill No. 2250 was ordered to hold its place on the second reading calendar for Wednesday, March 28, 1973.

## SECOND READING

SENATE BILL NO. 2326, by Senators Durkan, Bailey and Rasmussen (by State Auditor request):

Authorizing state auditor to make recommendations for improved level of fiscal management.

The bill was read the second time by sections.

Senator Atwood moved adoption of the following amendment:

On page 4, section 1, line 17, after "audits" insert "*except to the extent such audits may be required by the federal government or any of its agencies as a condition for the*

*receipt or expenditure of federal funds by any state agency: PROVIDED FURTHER, That the Legislative Budget Committee will be notified in advance of such audits by the state auditor indicating the specific federal authority requiring the audit”.*

#### POINT OF INQUIRY

Senator Dore: “I am not quite sure exactly what this does. Is this a restriction of the State Auditor’s authority?”

Senator Atwood: “Yes, it is in the area of performance audits.”

Senator Dore: “What is the restriction? Why should not he have the right to carry out under the statute now?”

Senator Atwood: “He does not have that right now, Senator. We took it away from him in 1971. This is restoring him to those areas that are required by federal law.”

Senator Dore: “I see.”

The motion by Senator Atwood carried and the amendment was adopted.

On motion of Senator Atwood, the following amendments were adopted:

On page 4, section 1, line 23, after the colon strike all the matter down to and including “*management*” on line 27 and insert “*PROVIDED FURTHER, That if the state auditor during the course of the regular fiscal-legal audit observes questionable financial management practices he may include appropriate recommendations designed to aid the legislature in accomplishing its purposes under RCW 44.28.055*”.

On page 5, section 1, line 8, after “general.” insert:

“(4) *When federal funds are granted or furnished to a state agency under any condition requiring any review or audit of that agency’s activities for compliance with federal audit standards, the state auditor shall have the authority to perform such review or audit either alone or in conjunction with any other officer or agency. The term “audit standards” for the purpose of this subsection includes the recognized body of governmental audit standards as officially published on August 1, 1972 by the Comptroller General of the United States, titled “Standards for Audit of Governmental Organizations, Programs, Activities and Functions” or any other standards required by the appropriate federal grantor agency.*”

Re-number remaining subsection consecutively.

#### POINT OF INQUIRY

Senator Woodall: “Prior to leaving second reading, would Senator Atwood yield? For the record, some time ago the auditor used to come into a little town and besides counting the money and making sure the Justice of the Peace was properly accounting for funds, he went further and delved into the matter of the expediency as to how this man was handling the cases and the continuances which were granted. He happened to be critical of continuances which were granted to one attorney member of the legislature who was gone at that time. This will not get him back into telling judicial offices how to operate?”

Senator Atwood: “This will not allow him in the field of performance auditing of state agencies except in those very limited areas where federal regulations require.”

On motion of Senator Atwood, Engrossed Senate Bill No. 2326 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2326, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senators Durkan, Francis, Gardner, Greive, Lewis (Harry), Mardesich, Murray-7.

ENGROSSED SENATE BILL NO. 2326, having received the 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. 2656, by Senators Lewis (Harry) and Sandison:

Providing savings and loan association may act as a trustee.

The bill was read the second time by sections.

On motion of Senator Dore, the following amendment by Senators Dore and Lewis (Harry) was adopted:

On page 1, line 22, strike all of section 2.

On motion of Senator Dore, the following amendment by Senators Dore and Lewis (Harry) to the title was adopted:

On page 1, line 2 of the title, after "33.12 RCW" strike the semicolon, insert a period, and strike lines 3 and 4 of the title.

On motion of Senator Dore, Engrossed Senate Bill No. 2656 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2656, and the bill passed the Senate by the following vote: Yeas, 39; absent or not voting, 10.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall-39.

Absent or not voting: Senators Day, Durkan, Francis, Gardner, Greive, Lewis (Harry), Lewis (Bob), Mardesich, Murray, Woody-10.

ENGROSSED SENATE BILL NO. 2656, having received the 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 Senator Woodall, Substitute Senate Bill No. 2085 was ordered to hold its place on the second reading calendar for Wednesday, March 28, 1973.

#### SECOND READING

SENATE BILL NO. 2153, by Senators Sandison, Whetzel and Talley (by Joint Committee on Higher Education request):

Implementing the community college district professional negotiations act.

The Senate resumed consideration of Senate Bill No. 2153. The bill was read the second time on Saturday, March 24, 1973 and the committee amendment to page 2, section 3, line 24 was moved for adoption by Senator Sandison on that day.

The motion by Senator Sandison carried and the committee amendment was adopted.

On motion of Senator Sandison, the committee amendment to page 3, line 28, adding a new section, was adopted.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Grant moved that the Senate do now reconsider the vote by which the Senate adopted the committee amendment to page 2, section 3, line 24.

Debate ensued.

The motion for reconsideration by Senator Grant failed.

Senator Grant moved adoption of the following amendment:

On page 1, section 1, line 17, after "counselor" strike the comma and insert "[,] or" and after "librarian" strike ", or department head" and insert "[, or department head]".

Debate ensued.

The motion by Senator Grant failed and the amendment was not adopted.

On motion of Senator Sandison, the following amendment by Senators Sandison and Bailey was adopted:

On page 1, section 1, line 25, after "assignments," strike the remainder down through "hereunder." on page 2, line 4, and insert "and has responsibilities to hire, dismiss, or discipline other employees. Administrators shall not be members of the bargaining unit unless a majority of such administrators and a majority of the bargaining unit elect by secret ballot for such inclusion pursuant to rules and regulations as adopted in accordance with section 5 of the 1973 Amendatory Act."

On motion of Senator Henry, the following amendment was adopted:

On page 2, following line 19 insert the following paragraph:

*"It is further determined that any agreement involving union security including an all-union agreement or agency agreement must safeguard the rights of nonassociation of employees, based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member. And unless other arrangements are agreed upon between the labor organization and the employee, such employee must pay an amount of money equivalent to regular dues and initiation fees and assessments, if any, to a nonreligious charity or to another charitable organization mutually agreed upon by the employee affected and the representative of the labor organization to which such employee would otherwise pay dues. The employee shall furnish written proof that this has been done. If the employee and representative of the labor organization do not reach agreement on the matter, the board shall designate such organization."*

On motion of Senator Sandison, the following amendment by Senators Sandison and Whetzel was adopted:

On page 3, beginning on line 32, add a new section as follows:

*"NEW SECTION. Sec. 8. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."*

On motion of Senator Sandison, the following amendment by Senators Sandison and Whetzel to the title was adopted:

On page 1, line 8 of the title, after section and before the period insert "; and declaring an emergency".

On motion of Senator Sandison, Engrossed Senate Bill No. 2153 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Washington: "Would Senator Sandison yield? Under this bill as amended, will it require community college personnel to belong to and pay dues to the bargaining unit?"

Senator Sandison: "The answer is no."

#### POINT OF INQUIRY

Senator Whetzel: "I have two questions for Senator Sandison if he will yield. Section 2 of this act permits boards to delegate the negotiation responsibility, does this include hiring professionals who are not regular employees of the district?"

Senator Sandison: "Yes, this would include that."

Senator Whetzel: "If so, because many such professional negotiators are attorneys, does the amendment encompass the boards hiring an attorney who is not an assistant attorney general for this special purpose?"

Senator Sandison: "Yes, the person that would be hired would be hired as a negotiator because he was a negotiator. It may be by chance that he is an attorney but his job would be negotiation, not for legal advice."



## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2153, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Guess—1.

Absent or not voting: Senators Atwood, Durkan—2.

ENGROSSED SENATE BILL NO: 2153, having received the 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 Senator Bailey, Senator Talley was excused.

On motion of Senator Mardesich, Senator Durkan was excused.

## SECOND READING

SENATE BILL NO. 2245, by Senators Walgren and Wanamaker:

Providing compensation to members of the marine employees commission.

## REPORT OF STANDING COMMITTEE

February 15, 1973.

SENATE BILL NO. 2245, providing compensation to members of the marine employees commission (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 19, after "*dollars*" and before "*for*" strike "*per diem*" and insert "*compensation*".

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Guess, Jolly, Knoblauch, Lewis (Bob), Rasmussen, Sellar, Wanamaker, Washington.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendment was adopted.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 1, section 1, line 19, after "*receive*" strike "*forty dollars*".

## POINT OF INQUIRY

Senator Bottiger: "Would Senator Walgren yield to a question? Senator Walgren, we have all different kinds of commissions, some are almost honorary, others are quite hard working. We pay them all different sliding scales from the Utilities and Transportation Commission down to the Commission on Mexican-American Affairs. Is this commission a working commission or are they semi-honorary?"

Senator Walgren: "The testimony before the committee was that in years past there has not been a tremendous amount of work that the commission has had to become involved in. Within the last two years or so, they have been deeply involved in some of the hearings that are necessary with the employees involved with the ferry system. As a matter of fact, I think testimony was that this was taking some five or six days during a period of maybe six months for their work, and the anticipation was it was going to require some additional work on their part. So it is indeed a working commission and not an honorary one."

## POINT OF INQUIRY

Senator Mardesich: "Would Senator Walgren yield? Senator Walgren, I note that the section of law establishes a Marine Employee Commission to consist of three members, one member to be appointed from labor, one from industry and the other being a public member. Those members who are from labor and the employers, are they people who are employed as a part of the ferry system or does it not necessarily follow that they would be?"

Senator Walgren: "It does not necessarily follow that they have to be employed by the state ferry system. As a matter of fact, I believe they are not at the present time."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Walgren further yield? Do I read this correctly? Senator Lewis says that unless his amendment passes these people receive forty dollars a day plus their expenses, with no maximum set in the bill as to what they can turn in for."

Senator Walgren: "That is correct."

Senator Woodall: "That is kind of a new departure that there is no limit as to their expenses? Do we have any other commission on that unlimited plane that you know of?"

Senator Walgren: "I do not know. Senator Guess might be able to answer that particular question."

Senator Guess: "Not that I know of."

## MOTIONS

On motion of Senator Scott, Senator Atwood was excused.

The motion by Senator Lewis (Harry) carried and the amendment was adopted.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 1, section 1, line 20, after "duties" and before the comma insert "*as provided in RCW 43.03.050*".

On motion of Senator Walgren, Engrossed Senate Bill No. 2245 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2245, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Matingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Atwood, Durkan, Talley—3.

ENGROSSED SENATE BILL NO. 2245, having received the 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 INQUIRY

Senator Lewis (Harry): "Would Senator Walgren yield to a question? Senator Walgren, the language in the bill we just passed indicated that the commission members would receive payment for their necessary traveling in attending meetings of the commission. Did you intend in this legislation that these meetings would be within the state of Washington?"

Senator Walgren: "That was not discussed."

Senator Lewis (Harry): "Was it your understanding that the intent of the bill would preclude them from receiving expenses beyond the area of the state of Washington?"

Senator Walgren: "Senator, I will have to honestly answer that that was not discussed at all and so I cannot say what the intent was."

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Lewis (Harry) served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Senate Bill No. 2245 passed the Senate.

#### SECOND READING

SENATE BILL NO. 2288, by Senators Woody, Clarke and Van Hollebeke:  
Repealing records deposit requirement.

The bill was read the second time by sections.

On motion of Senator Clarke, Senate Bill No. 2288 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2288, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Atwood, Durkan, Talley—3.

SENATE BILL NO. 2288, having received the 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. 2161, by Senators Francis and Clarke (by Judicial Council request):

Expanding responsibilities of municipal courts in passing sentences.

The bill was read the second time by sections.

On motion of Senator Francis, Senate Bill No. 2161 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2161, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Atwood, Durkan, Talley—3.

SENATE BILL NO. 2161, having received the 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. 2353, by Senators Grant, Gardner and Canfield (by Secretary of State request):

Changing the format of ballot titles and petitions.

The bill was read the second time by sections.

- On motion of Senator Grant, Senate Bill No. 2353 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2353, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Atwood, Durkan, Talley—3.

SENATE BILL NO. 2353, having received the 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. 2388, by Senator Walgren:

Requiring annexation resolutions and petitions to be acted upon within one year.

The bill was read the second time by sections.

On motion of Senator Walgren, Senate Bill No. 2388 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Walgren yield? Senator, some years ago we passed a measure in this body to require that an annexation in an unincorporated area would have to receive the permission of the county commissioners before it went into a city. Does this in any way change that statute?"

Senator Walgren: "No."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2388, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Atwood, Durkan, Talley—3.

SENATE BILL NO. 2388, having received the 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. 2465, by Senators Henry and Canfield (by Secretary of State request):

Making changes in the laws relating to primary elections.

#### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2465, making changes in the laws relating to primary elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 5, after "election" and before "the" strike "and primary election" and insert "[and primary election]".

On page 2, section 3, line 6, after "from" and before "o'clock a.m." strike "eight" and insert "[eight] seven" and after "p.m." strike all of the material down to and including "p.m." on line 9 and insert "[: PROVIDED, That the polling hours at a state primary election and state election, general or special, shall be from seven o'clock a.m. to eight o'clock p.m.]"

On page 3, section 4, line 13, after "to" and before "and share" strike "any" and insert "[any]".

On page 5, section 5, line 3, strike "no filing fee" and insert "[no filing fee] a filing fee of one dollar".

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Canfield, the committee amendments were adopted.

On motion of Senator Canfield, Engrossed Senate Bill No. 2465 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Canfield yield? Does this not now on certain nonpaying jobs such as school boards and others require a dollar fee to run for a nonpaying job where it never used to? Is that also in the bill?"

Senator Canfield: "Yes. A dollar is not a very important fee nowadays. Mr. President, the reason for this fee was to in some way meet the costs that are entailed in the paper work in the office of the Secretary of State and the County Auditor."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2465, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—42.

Voting nay: Senators Newschwander, Woodall—2.

Absent or not voting: Senators Connor, Matson—2.

Excused: Senators Atwood, Durkan, Talley—3.

ENGROSSED SENATE BILL NO. 2465, having received the 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. 2475, by Senators Bottiger and Clarke (by Secretary of State request):

Increasing from two to five dollars the fee charged by the secretary of state for receiving service of process as the agent of a corporation.

The bill was read the second time by sections.

On motion of Senator Bottiger, Senate Bill No. 2475 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2475, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 2; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Grant, Mattingly—2.

Absent or not voting: Senators Connor, Matson—2.

Excused: Senators Atwood, Durkan, Talley—3.

SENATE BILL NO. 2475, having received the 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. 2524, by Senator Twigg:

Making certain changes in the laws relating to insurance.

#### REPORT OF STANDING COMMITTEE

March 15, 1973.

SENATE BILL NO. 2524, making certain changes in the laws relating to insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 2, line 13, before "firm" strike "of" and insert "or", correcting a typographical error in the bill.

Beginning on page 4, strike all of section 3 and renumber the remaining sections consecutively.

Beginning on line 6 of the title, strike "amending section .18.29, chapter 79, Laws of 1947 and RCW 48.18.290;"

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander.

The bill was read the second time by sections.

On motion of Senator Twigg, the committee amendments were adopted.

On motion of Senator Twigg, the committee amendment to the title was adopted.

On motion of Senator Twigg, the rules were suspended, Engrossed Senate Bill No. 2524 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2524, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.  
Excused: Senators Atwood, Durkan, Talley—3.

ENGROSSED SENATE BILL NO. 2524, having received the 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. 2600, by Senators Rasmussen and Walgren (by Liquor Control Board request):  
Enacting the state liquor control board omnibus bill.

#### MOTION

On motion of Senator Rasmussen, Substitute Senate Bill No. 2600 was substituted for Senate Bill No. 2600 and the substitute bill was placed on second reading and read the second time in full.

Senator Stortini moved adoption of the following amendment by Senators Stortini and Ridder:

On page 2, line 31, following section 1 insert the following:

*“NEW SECTION.* Sec. 2. The board shall not hire any person who is receiving a pension in the amount of four hundred dollars or more per month.”

Re number the remaining sections consecutively.

#### POINT OF ORDER

Senator Rasmussen: “I raise the point of order on the scope and object of the amendment by Senators Stortini and Ridder.”

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Lewis (Harry): “I was wondering, Mr. President, what rules you were using to judge the scope and object of the bill. Are you on Reed’s?”

Senator Woodall: “The Constitution.”

Senator Lewis (Harry): “Our Constitution? Not the Senate Rules or the Joint Rules?”

#### REPLY BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “We do not have to adopt the Constitution, Senator Lewis. We have it.”

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: “Ruling on the point of order scope and object, there are twenty-seven lines of repealers and RCW’s on the first page and 18 lines on the second page. This is the omnibus liquor control bill. There is no possible way you could expand the scope and object of it. The amendment is in order.”

Further debate ensued.

The President declared the question before the Senate to be adoption of the amendment by Senators Stortini and Ridder.

The motion by Senator Stortini carried and the amendment was adopted on a rising vote.

#### POINT OF ORDER

Senator Mardesich: “I raise the question of scope and object with respect to the whole bill in relationship to the Constitution.”

## REPLY BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is not well taken, Senator Mardesich. I do not rule on the Constitution and that does not happen to be before us right at the moment."

Senator Mardesich: "If you have any right to rule on the question of scope and object with respect to the point raised by Senator Lewis, you have the authority with respect to the point raised by me. Otherwise, you have no authority at all."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Senator, if you would like to raise the question of constitutionality of an omnibus bill you are into—that is a horse of a different color. But unfortunately the section 36, I believe it is, of the Constitution is only a tool by which I operate just as an umpire uses an indicator to indicate balls and strikes, and I do not make all the rules for the ball game, as the Constitution does. Your point is not well taken."

On motion of Senator Newschwander, the following amendment was adopted:

On page 3, section 2, line 5, after "beverages" insert "*as provided in chapter 100, Laws of 1973*".

Senator Metcalf moved adoption of the following amendment:

On page 15, section 21, line 5, strike section 21.

Debate ensued.

The motion by Senator Metcalf failed and the amendment was not adopted.

On motion of Senator Stortini, the following amendment by Senators Stortini and Ridder to the title was adopted:

On page 1, line 1 of the title, after "liquor;" and before "amending" insert "adding a new section to chapter 66.08 RCW;"

On motion of Senator Rasmussen, Engrossed Substitute Senate Bill No. 2600 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2600, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Bottiger, Francis, Metcalf—3.

Absent or not voting: Senator Fleming—1.

Excused: Senators Atwood, Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2600, having received the 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. 2667, by Senator Dore:

Authorizing public bodies to deposit the retained percentage funds on public works contracts in a bank.

The bill was read the second time by sections.

Senator Woody moved adoption of the following amendment:

On page 1, section 1, line 25, after "reserved" and before the colon, insert "and the public body shall give notice by certified mail within seven days of the final acceptance of



said improvement or work to all persons, mechanics, subcontractors or materialmen of whom the public body has actual knowledge of performing work or supplying materials”.

#### POINT OF INQUIRY

Senator Dore: “Would Senator Woody yield to a question? Your amendment provides that the city, county and state would have to send by certified mail in seven days the final acceptance of said improvement or work to all persons, mechanics, subcontractors, materialmen, whom the public body has actual knowledge of performing work or supplying materials. Now how is that knowledge acquired? One of the clerks in the office or the supervising engineer or who? Whose knowledge would that be?”

Senator Woody: “In every instance of a major or even a minor contracting by either a political subdivision or the state of Washington, you have engineers and especially the architects who are supervising this. They know every contractor, they know every supplier and they know every materialman who has supplied because all of those matters are brought before the architects, before the board, much before time of final completion. I have not seen one situation yet where not all of them were known to the board itself.”

Senator Dore: “I am trying to inquire what person you have in mind?”

Senator Woody: “Anybody in a supervisory capacity. It would not be a clerk.”

Senator Dore: “How about a person at the counter having knowledge of it? That would not be notice, right?”

Senator Woody: “No, sir.”

Senator Dore: “Don’t you think you should put that in the amendment then?”

Senator Woody: “It would not provide anything more than already exists under this amendment because under this amendment the architect or anybody else designated under supervisory capacity would have knowledge of this anyway. They get these papers from the materialmen, they get the documents from the subcontractors throughout the project.”

Senator Dore: “One more question. Assuming there is a conflict of contractors over who is entitled to the money and there is a claim for two million dollars and another party is making a claim for three million. They are disputing the same common work. The city or county or state overlooks the requirement of giving actual notice. In the meantime, the state or city or county makes the payoff. Then under this bill, is it your understanding that the other party that did not receive notice could sue for the two million dollars or whatever it was over and above the released funds?”

Senator Woody: “The current law as it stands right now would not be changed in that respect. Within that thirty day period of time, those persons who file a claim of lien . . . .”

Senator Dore: “Senator Woody, I have a specific question. I am assuming that they do not follow this requirement. The money is released by the state to the wrong person, or the right person, but one with a claim raised the point that that should not have been paid off because no notice was given. My question specifically is, would they have a legal right to sue the state, say for two million dollars, under that factual situation?”

Senator Woody: “Under your hypothetical question, neither party filed a claim so neither party would be entitled to . . . .”

Senator Dore: “No, one party filed it. It was actually—both of them filed a claim. They both have serious legal contentions. In other words, perhaps on a dam, they may be contending over who caused the washout of the particular partial dam or whatever it was. It seems to me you are giving a cause of action to people because they do not receive actual knowledge in limbo, and it may well be they can then sue the state.”

Senator Woody: “That is precisely what I mentioned before, why I put this where I did. It does not give a new cause of action. All it does is provide that certified mail notification must be made. It does not defeat, either enlarge or shrink the lien rights under the thirty day filing requirement.”

Senator Dore: “Don’t you think you should put that sentence in your amendment then to make sure? Otherwise someone will be suing on the basis that it does.”

Senator Woody: “I would have no objection, although I think with this much dialogue there is enough legislative intent in the Journal of the Senate that there would be no question.”

## POINT OF ORDER

Senator Dore: "I would like to raise the scope and object of this amendment. The purpose of the bill is a very simple thing, merely to provide for interest on reserves held by public bodies to accrue to the interest of the contractor. Now we have gotten into a very complicated legal amendment in which Senator Woody and I apparently have different ideas as to the extent of it, whereby in my opinion you are giving a right to a party to have actual notice and if the state pays off wrongly to parties without giving actual notice under this provision, it seems to me in the absence of other language to be added in the amendment that they could, of course, hold the state responsible. I would like to, frankly I am not necessarily against your amendment. I think it is probably a good idea. I do not know the expense that would be involved by the municipal bodies to have to give this notice and I do not know exactly who would receive the actual notice, whether you say it is not a clerk you have got in mind but of course in law I think you can show the party dealing with the public had knowledge and you are entitled to rely upon the knowledge of the clerk. I do not think you can simply say you can discount the knowledge of the clerk."

## MOTION

At 3:25 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Wednesday, March 28, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTIETH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, March 28, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Talley and Woodall. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Marc Umatham and Margaret Dore, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

“GREAT IS THE LORD AND GREATLY TO BE PRAISED!” HOW GREAT IS YOUR GOODNESS, O LORD, AND HOW GREAT IS OUR RESPONSIBILITY. MAKE US AWARE OF YOUR PRESENCE AND PURPOSE IN THIS MOMENT OF TIME AND IN THIS PLACE OF LEGISLATION. MAKE US TO KNOW THAT YOU HAVE CHOSEN US FOR SUCH A TIME AND FOR SUCH A TASK AS THIS. SHARPEN OUR SENSE OF RESPONSIBILITY. EXPAND THE HORIZONS OF OUR VISION AND SENSITIZE US TO THE SPECIAL NEEDS AND PROBLEMS OF TODAY. THEN GIVE COURAGE TO ESPOUSE AND TO PROMOTE THE RIGHT AS YOU GIVE US TO KNOW THE RIGHT. GIVE WHAT YOU COMMAND AND COMMAND WHAT YOU WILL. TO THE GLORY OF YOUR NAME AND THE GOOD OF OUR COMMONWEALTH. THROUGH JESUS CHRIST OUR LORD. AMEN.”

## MOTION

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

March 27, 1973.

SENATE BILL NO. 2374, authorizing certain tidelands and shorelands to be given to public entities solely for park and recreational purposes (reported by Committee on Parks and Recreation):

Recommendation: That Substitute Senate Bill No. 2374 be substituted therefor and the substitute bill do pass.

Signed by: Senators Knoblauch, Chairman; Bailey, Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2739, relating to state colleges and universities (reported by Committee on Higher Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2739 be substituted therefor and the substitute bill do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Scott.

Passed to Committee on Rules for second reading.

March 27, 1973.

ENGROSSED HOUSE BILL NO. 112, providing for certain changes in the assessment levied upon milk (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Day, Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

March 28, 1973.

ENGROSSED HOUSE BILL NO. 300, defining certain areas for investment and expanded services by mutual savings banks (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

March 27, 1973.

SUBSTITUTE HOUSE BILL NO. 391, creating a state conservation commission and defining its functions (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass.

Signed by: Senators Jolly, Chairman; Day, Donohue, Sellar, Twigg, Washington.

Passed to Committee on Rules for second reading.

March 28, 1973.

HOUSE BILL NO. 438, permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

March 27, 1973.

HOUSE BILL NO. 442, granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Marsh.

Passed to Committee on Rules for second reading.

March 28, 1973.

ENGROSSED HOUSE BILL NO. 482, providing an alternative payment method for agricultural employees under the laws of industrial insurance (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder.

Passed to Committee on Rules for second reading.

March 28, 1973.

HOUSE BILL NO. 668, regulating factory-built commercial structures (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Matson, Ridder.

Passed to Committee on Rules for second reading.

GUBERNATORIAL APPOINTMENTS

March 27, 1973.

GEORGE DUECY, to the position of member of the State Board for Community College Education, appointed by the Governor on May 7, 1971 for the term ending April 3, 1975, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

March 27, 1973.

MRS. CHARLOTTE CHALKER, to the position of member of the Board of Trustees, Fort Steilacoom Community College, District No. 11, appointed by the Governor on February 5, 1973 for the term ending April 3, 1974, succeeding Mrs. Jack Erickson (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf.

Passed to Committee on Rules.

March 27, 1973.

ROBERT B. THOMPSON, to the position of member of the Board of Trustees, Centralia Community College, District No. 12, appointed by the Governor on January 20, 1973 for the term ending April 3, 1973, succeeding Ernest Hamilton (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf.

Passed to Committee on Rules.

MESSAGES FROM THE GOVERNOR

Office of the Governor, March 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 26, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2176: Allowing port districts to provide insurance coverage for port commissioners on the same terms as provided for employees.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, March 27, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 27, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2111: Implementing law relating to credit unions.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

## MESSAGE FROM THE HOUSE

March 27, 1973.

Mr. President: The House has passed:  
 SUBSTITUTE HOUSE BILL NO. 53,  
 SUBSTITUTE HOUSE BILL NO. 64,  
 HOUSE BILL NO. 178,  
 HOUSE BILL NO. 356,  
 SUBSTITUTE HOUSE BILL NO. 392,  
 HOUSE BILL NO. 458,  
 ENGROSSED HOUSE BILL NO. 463,  
 ENGROSSED HOUSE BILL NO. 485,  
 ENGROSSED HOUSE BILL NO. 621,  
 ENGROSSED HOUSE BILL NO. 685,  
 ENGROSSED HOUSE BILL NO. 1047, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 53, by Committee on Ways and Means—Revenue (originally sponsored by Representatives Flanagan, Haussler, Newhouse, Van Dyk, Benitz, North (Lois), Amen, Curtis, Garrett, Hayner, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman (by Permanent Property Tax Committee request):

Making certain amendments to the open space lands taxation laws.  
 Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 64, by Committee on Transportation and Utilities (originally sponsored by Representatives Conner and Gilleland):

Implementing the laws relating to the special fuel tax.  
 Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 178, by Representatives King and Morrison (by Public Employees' Collective Bargaining Committee request):

Making certain changes in the laws regulating labor relations in health care activities.  
 Referred to Committee on Labor.

HOUSE BILL NO. 356, by Representatives Conner, Bauer, Zimmerman, Schumaker and Beck:

Changing certain legal holidays.  
 Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 392, by Judiciary Committee (originally sponsored by Representatives Wojahn, Shinpoch, Knowles, Kelley, Smith, Juelling, Adams, Douthwaite, Erickson, Johnson, Kraabel, North (Lois) and Swayze) (by Judicial Council request):

Revising the laws of divorce.  
 Referred to Judiciary Committee.

HOUSE BILL NO. 458, by Representatives Pardini, Savage, Pullen, Cunningham, Wilson and Hendricks (by Executive request):

Amending the partial benefit formula for unemployment compensation.  
 Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 463, by Representatives Berentson, Van Dyk, Hansey and Charette:

Authorizing port district studies on industrial development.  
 Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 485, by Representatives Bagnariol and Pardini:  
Implementing the laws of insurance rates.  
Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 621, by Representatives Thompson, Berentson, Perry and Polk:  
Providing for environmental protection in public construction contracts.  
Referred to Committee on Ecology.

ENGROSSED HOUSE BILL NO. 685, by Representatives Kuehne, Anderson and North (Lois):  
Providing that fire districts may contract with the state authority owning adjacent lands for fire protection.  
Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 1047, by Representatives Newhouse, Haussler and Pardini:  
Regulating the interest rate upon public funds held as time deposits.  
Referred to Committee on Financial Institutions.

#### MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.  
President Pro Tempore Henry called the Senate to order at 10:45 a.m.

#### MOTIONS

On motion of Senator Canfield, Senator Woodall was excused.

On motion of Senator Mardesich, the following bills were ordered held on the second reading calendar for Thursday, March 29, 1973: Senate Bills 2134, 2045 and 2046 and Senate Concurrent Resolution No. 124.

Senators Mardesich, Grant and Day demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senators Talley and Woodall who had previously been excused.

On motion of Senator Mardesich, the Senate proceeded under the Call of the Senate.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 2226, by Judiciary Committee (originally sponsored by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry) (by Executive request):

Providing residential landlord tenant laws.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Francis yield to a question? Senator Francis, I think considerable work has been done on this bill and through the working and reworking is improved. On page 19 it provides that 'the landlord may sell such property and may apply any income derived therefrom against moneys due the landlord, including drayage and storage. Any excess income derived from the sale of such property shall be held by the landlord for the benefit of the tenant for a period of one year from the date of sale, and if no claim is made or action commenced by the tenant for the recovery thereof prior to the expiration of that period of time, the balance shall be the property of the landlord.' Now

my question is, in some instances where apparently the tenant has moved out or abandoned the place, it could be that he has been on a trip or died or something, been quite valuable property, and under the Unclaimed Properties Act this ordinarily would go to the state, the same as meter deposits and unclaimed bank deposits and things. Would this give too much advantage to the landlord or would the Unclaimed Properties Act that is in effect now control?"

Senator Francis: "Senator Rasmussen, this section applies strictly to abandonment. I do not think it gives too much right to the landlord. You know, there are many of these cases where there is an abandonment without payment of rent and the landlord comes out the loser. This might tend to balance it a little bit because there is a possibility that the person abandons and actually leaves something that is of more value than the rent he owes, which has got to be one of the rarest instances I can think of, that the landlord could actually come out a little bit ahead. I do not think it is unfair. This would supersede any other state law presently existing on that subject."

Senator Rasmussen: "There is a possibility in that rare case that you could have quite valuable articles left in an abandoned apartment. I am only raising that so that some of those questions could be answered. I have another question. Under section 33, page 20, 'Unless otherwise mutually agreed to, in the event a controversy arises under section 32 of this 1973 amendatory act the landlord or tenant, or both, shall complete an Application for Arbitration and deliver it to the selected arbitrator.' Now it is my understanding that that had to be mutual and not that one person could not do that."

Senator Francis: "That is correct, Senator Rasmussen. Section 32 provides for mutually agreed arbitration. They have a right to go to court if they do not both agree to go to arbitration."

Senator Rasmussen: "Yes, but this section 32 says 'shall complete an Application.' Either the landlord or the tenant. It does not say that both of them have to mutually agree to it in that section."

Senator Francis: "I agree, Senator, but section 33 refers back to section 32. They are talking about agreed arbitrations under 32 and section 33 is providing a procedure for implementing section 32."

Senator Rasmussen: "Then on page 21, section 34, 'The administrative fee for this arbitration procedure shall be seventy dollars,' does this foreclose the landlord from going to small claims court and provide that he must select an arbitrator as the only way?"

Senator Francis: "No, not at all. Unless there is some change here that I do not understand. The way it came from the committee and the way it was upon my review of it, you only arbitrate if both parties agree. If both parties cannot even agree on the arbitrator you have a right to go to court. So that what you are talking about here is simply a provision, again, the interstitial function of the law, if you will, that provides that if they do not provide for another amount of money, this is the amount paid. And again they could agree to something different but they would have to all mutually agree, that is, both parties and the arbitrator would have to agree to something different. If there is no agreement and they have agreed to arbitrate, this is the price."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2226, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Bailey, Bottiger, Clarke, Connor, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—36.

Voting nay: Senators Atwood, Canfield, Day, Donohue, Guess, Lewis (Harry), Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Twigg, Woodall—12.

Excused: Senator Talley—1.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, having received the 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 Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Thursday, March 29, 1973.

Senator Lewis (Harry) moved that Senate Bill No. 2036 and Senate Bill No. 2518 be ordered held on the second reading calendar for Thursday, March 29, 1973.

#### POINT OF INQUIRY

Senator Odegaard: "I would ask Senator Lewis what kind of information they are asking for. The bill has been on the calendar for several days, and I am just kind of curious, Senator."

Senator Lewis (Harry): "Senator Odegaard, we have all been setting bills down in trying to get the job done here. This is information that I requested. This would relate to your district as well as others in the state and I just wanted to be sure I understood the impact on the organizational structure of the total department as it would be reflected in the changes of these two bills and I would like to have another twenty-four hours unless you object, Senator."

The motion by Senator Lewis (Harry) carried, Senate Bill No. 2036 and Senate Bill No. 2518 were ordered held on the second reading calendar for Thursday, March 29, 1973.

#### MOTION

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2085, by Committee on Transportation and Utilities (originally sponsored by Senators Washington, Guess and Henry):

Bringing Washington traffic laws into conformity with those of other states.

#### MOTION

On motion of Senator Washington, Substitute Senate Bill No. 2085 was made a special order of business for 2:00 p.m., today.

#### SECOND READING

SENATE BILL NO. 2667, by Senator Dore:

Authorizing public bodies to deposit the retained percentage funds on public works contracts in a bank.

The Senate resumed consideration of Senate Bill No. 2667. An amendment by Senator Woody was moved for adoption on Tuesday, March 27, 1973 and a point of order was raised by Senator Dore on the amendment.

There being no objection, the amendment by Senator Woody was withdrawn.

Senator Woody moved adoption of the following amendment:

On page 1, section 1, line 25 after "reserved" and before the colon, insert: "*and the public body shall give notice by certified mail within seven days of the final acceptance of said improvement or work to all persons, mechanics, subcontractors or materialmen of whom the public body previously has received written notification of performing work or supplying materials*".

## POINT OF INQUIRY

Senate Guess: "Would Senator Woody yield? Senator Woody, I cannot quite tell exactly what you are doing here and I would like to read this and then ask you a question. Say this public body is a school board that 'shall give notice by certified mail within seven days of the final acceptance,' I would suppose you mean after final acceptance?"

Senator Woody: "That is correct."

Senator Guess: "Okay. 'To all persons, mechanics, subcontractors or materialmen of whom the public body previously has received written notification of performing work or supplies.' Now are you changing the time in which a person files a lien?"

Senator Woody: "Absolutely not, and so that the Senate Journal would reflect this, it is not the legislative intent that the time factor for filing is neither expanded or limited by this amendment."

## MOTION

On motion of Senator Whetzel, Senate Bill No. 2667, with the pending amendment by Senator Woody, was ordered held for further consideration following Substitute Senate Bill No. 2085.

## SECOND READING

SENATE BILL NO. 2674, by Senators Mardesich, Lewis (Harry) and Whetzel (by Department of General Administration and Department of Commerce and Economic Development request):

Providing for alien banks in Washington.

## MOTIONS

On motion of Senator Newschwander, Senator Lewis (Harry) was excused.

The bill was read the second time by sections.

On motion of Senator Dore, Senate Bill No. 2674 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2674, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senator Fleming-1.

Absent or not voting: Senators Durkan, Rasmussen-2.

Excused: Senators Lewis (Harry), Talley-2.

SENATE BILL NO. 2674, having received the 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. 2250, by Committee on Transportation and Utilities (originally sponsored by Senators Henry and Woodall):

Implementing laws relating to size, weight, and load of motor vehicles.

The Senate resumed consideration of Substitute Senate Bill No. 2250, the substitute bill having been substituted on Monday, March 26, 1973.

Vice President Pro Tempore Keefe assumed the Chair.

On motion of Senator Day, the following amendment was adopted:

On page 1, section 1, line 18, after "truck" insert "*and an additional two thousand pounds may be purchased for an amount not to exceed thirty dollars per thousand*".

On motion of Senator Henry, the following amendments were adopted:

On page 6, section 3, line 5 after "*pounds.*" and before "*The*" insert the following:

*"The minimum additional tonnage to be purchased pursuant to this paragraph for a three or more axle tractor to be operated in combination with a semi-trailer shall be not less than one thousand two hundred and eighty pounds."*

On page 9, section 3, line 16 after "permit." insert the following:

*"When the department issues a duplicate permit to replace a lost or destroyed permit and where the department transfers a permit from one vehicle to another a fee of five dollars shall be charged for each such duplicate issued or each such transfer."*

On page 9, section 3, line 18 after "not less" strike "than five days nor more" and insert "[than five days nor more]".

On page 9, section 3, line 20, after "*permits and*" and before "*two dollars*" insert "*not less than five days at*".

On page 10, following section 4 insert a new section as follows:

*"NEW SECTION. Sec. 5. It is the intent of the legislature that there shall not be a net loss of revenue as a result of the changes in the imposition of fees set forth in this 1973 amendatory act. The highway commission shall keep proper records and make such surveys and analyses as are necessary and shall report to the next regular session of the legislature: (1) the net effect on revenues of the changes in the imposition of fees set forth in this 1973 amendatory act, and (2) suitable adjustments in the fees changed by this 1973 amendatory act to regain any net loss of revenues as a result of these changes."*

On motion of Senator Henry, Engrossed Substitute Senate Bill No. 2250 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2250, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Walgren, Wanamaker, Washington, Woodall—37.

Voting nay: Senators Bottiger, Francis, Grant, Mardesich, Scott, Van Hollebeke, Whetzel, Woody—8.

Absent or not voting: Senators Durkan, Fleming—2.

Excused: Senators Lewis (Harry), Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, having received the 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

At 12:00 noon, on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

## JOURNAL OF THE SENATE

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.  
There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

March 28, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 46, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 46, by Representative Moon:  
Report from Astronauts of Apollo 17.

On motion of Senator Atwood, House Concurrent Resolution No. 46 was advanced to second reading and read the second time in full.

On motion of Senator Atwood, House Concurrent Resolution No. 46 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

## MOTION

At 1:35 p.m., on motion of Senator Mardesich, the Senate recessed until 2:30 p.m.

## SECOND AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:30 p.m.

## MOTION

On motion of Senator Washington, the special order of business for 2:00 p.m. today, Substitute Senate Bill No. 2085, was ordered held as a special order of business following consideration of Senate Bill No. 2105.

There being no objection, the Senate returned to the first order of business.

## REPORT OF STANDING COMMITTEE

March 8, 1973.

SENATE BILL NO. 2104, adopting the operating budget (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2104 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Marsh, Ridder, Sandison.

## MOTION

On motion of Senator Atwood, Substitute Senate Bill No. 2104 was substituted for Senate Bill No. 2104 and the substitute bill was placed on second reading and read the second time in full.

## MOTION

At 2:35 p.m., on motion of Senator Mardesich, the Senate recessed until 4:30 p.m.

THIRD AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 4:30 p.m.

SECOND READING

SUBSTITUTE SENATE BILL NO. 2104, by Committee on Ways and Means (originally sponsored by Senators Odegaard and Atwood) (by Executive request):

Adopting the operating budget.

The Senate commenced consideration of Substitute Senate Bill No. 2104.

MOTION

Senators Mardesich, Rasmussen and Bailey demanded a Call of the Senate. A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senator Talley who had previously been excused.

On motion of Senator Mardesich, the Senate proceeded under the Call of the Senate.

Senator Whetzel moved adoption of the following amendment by Senators Whetzel, Clarke and Guess:

On page 11, section 45, line 9, after "126,393,057" insert:

"State School Equalization Fund Appropriation for mass transit assistance distribution . . . . . \$29,000,000".

Debate ensued.

Senator Whetzel demanded a roll call and the demand was sustained by Senators Clarke, Metcalf, Washington, Scott, Connor, Murray, Jones, Wanamaker and Guess.

POINT OF INFORMATION

Senator Lewis (Bob): "I do not intend to ask every time I do not understand something in the budget, but the language confuses me and I would like a clarification. The amendment says, 'State school equalization fund appropriation for mass transit assistance distribution, twenty-nine million dollars.' And I do not understand the relationship of the state school equalization fund appropriation to the mass transit and I wonder if Senator Whetzel would explain that."

Senator Whetzel: "Mr. President, what is involved here is a bill that passed, in the 1969 session, that provided that a certain portion of the motor vehicle excise tax funds would be reconstituted in effect as a local tax and that money in effect flowed through the state school equalization fund and a part of it goes out for mass transit assistance. Some of the motor vehicle excise tax money is pledged for the support of state school bonds and in order to protect that, this money for transit comes after the bonding money is taken care of so the bonds are not impaired or affected by this. It was because of that statutory earmarking already existent that this mass transit money came in at the end of that. The money that is left over after the state school equalization fund all goes into the general fund. So in effect the mass transit money is caught after the motor vehicle excise tax has provided money to pay off the school bonds and before it gets in the general fund there a portion of it is available for mass transit distribution."

POINT OF INQUIRY

Senator Bottiger: "Will Senator Whetzel yield to another question? Senator Whetzel, following your argument then, it would appear that we could vote down this amendment and take twenty-nine million dollars and add it to the school equalization formula to reduce the need of special levies."

Senator Whetzel: "No, that is the thing that I think is deceptive about this, about not

having this amendment. And in response to Senator Atwood's remarks that if you do not put this in here, there are twenty-nine million dollars that cannot be spent for any purpose whatsoever, according to the Attorney General's ruling because of the statute we passed that has in effect earmarked this for mass transit assistance. It really does not make much difference whether we say twelve million or twenty-nine million because that money cannot be spent for any other purpose if the necessary matching arrangement is made by the cities of the state for the mass transit funds. So I do not object to any negotiations that are going on and if Senator Durkan, Senator Atwood and the Governor have these negotiations and if they are able to resolve something equitably, then we can certainly take this out of the budget. What I am afraid of is that the time is flying by and that we will miss it and we may not reach agreement. Sometimes at the end of sessions things get a little snarled up and things that people thought they were going to do, do not get done, in which case there are twenty-nine million dollars that are needed by the cities of the state for transit assistance and that money will not be spent at all by anybody for any purpose whatsoever under the Attorney General's ruling. Now this is not a Metro-King County thing entirely. Of the twenty-nine million dollars, I think Metro's maximum amount is only ten million. Two-thirds of that goes to other parts of the state. Spokane, Tacoma, Yakima, Vancouver and Bellingham are all cities I know that have transit systems where they are interested and want to get some of this money. So what we are doing is depriving the cities of a chance to get any money at all if we do not pass this amendment or if the negotiations now are going on in which I have been vitally interested, having been a sponsor of the bill in 1969, been a sponsor of the local sales tax bill, it was not until yesterday I knew there were any negotiations going on whatsoever. So if those come to pass and if they do resolve the matter equitably, we can take this out. But otherwise I think we need it."

#### POINT OF INQUIRY

Senator Greive: "Would Senator Durkan yield to a question? Senator, I have been a sponsor of Metro and I am vitally interested in it and I am very inclined to vote with Senator Whetzel. However, I understand that there are negotiations. I would like to put on the record what the negotiations are so that when I vote with you, it will be understood that we are not voting against Metro."

Senator Durkan: "We met this morning at eight-thirty. We have met once before with them. Representative Bagnariol and Representative Shinpoch and I have met with Metro. We have pointed out to them that our position simply is that we want to re-enact the state law as it was when it passed the legislature in the first instance, and that we are willing to make an appropriation to them but we want to be assured that in the appropriation we make to them that in the event that there are more funds made available, such as federal funds which President Nixon now has indicated that he wants to use, that the federal funds which are made available will be an offset against the moneys which we are going to appropriate. I would disagree with Senator Whetzel in the sense that he says it cannot be used for anything else, because it will be. Our bill will permit it. But I can assure you that I am as interested in resolving the problem and have entered into it in good faith and I am sure the Governor has and I think the Metro people would tell you that if you asked them, that we are trying to work it out."

#### ROLL CALL

The Secretary called the roll and the amendment by Senators Whetzel, Clarke and Guess was not adopted by the following vote: Yeas, 12; nays, 36; excused, 1.

Voting yea: Senators Clarke, Francis, Grant, Greive, Guess, Jones, Lewis (Harry), Mattingly, Metcalf, Murray, Peterson (Ted), Whetzel—12.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—36.

Excused: Senator Talley-1.

Senator Durkan moved adoption of the following amendment by Senators Durkan and Ridder:

On page 1, section 2, line 18, strike "\$5,709,727" and insert "\$4,859,727".

On page 1, section 2, line 20, strike "\$7,649,290" and insert "\$6,149,290".

#### POINT OF ORDER

Senator Newschwander: "I have an amendment up there striking those three lines. If this amendment is adopted, is my amendment out of order?"

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your amendment will still be in order. The amendment to reduce comes first."

The motion by Senator Durkan carried and the amendment by Senators Ridder and Durkan was adopted.

Senator Newschwander moved adoption of the following amendment by Senators Newschwander and Atwood:

On page 1, section 2, line 18, strike lines 18 through 20.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Durkan yield? Senator Durkan, I read sometime back a rather learned article in the paper pointing out that at the present time we had fifty-four thousand eight hundred and forty-three state employees. Does this particular budget contemplate the same number, less or more than at present?"

Senator Durkan: "The budget will be below the Governor's request and it will be approximately in line with the 1971-73 appropriations that we made. So that means, in answer to your question, there will be less than those employed between 1971 and now."

Senator Woodall: "Two or three more questions. I noticed at that time it provided for some several assistants, thirty-eight assistants in the Governor's office as compared to ten that his predecessor used to get along with. How many assistants does this contemplate? The same number as thirty-eight or up or down from that?"

Senator Durkan: "It increases it by 2.5 man years."

Senator Woodall: "That is how many more employees?"

Senator Durkan: "That will be about two, Senator."

Senator Woodall: "So he has two more helpers than he had? And one or two more questions. The office of Attorney General. Does that contemplate the same number of attorneys or more?"

Senator Durkan: "The increase that the Attorney General has is about 10.5 man years, so there will be about six more attorneys for the Attorney General's office."

Senator Woodall: "Now you also mentioned that you were putting in this matter of legal aid for the poor. Would that contemplate some of those would assist the people on the landlord-tenant act that was passed the other day? Would they be eligible to help on that one?"

Senator Durkan: "I think that is probably a classic example of a question where a tenant probably needs assistance."

Senator Woodall: "Now if a poor landlord who did not net any more after taxes on his rentals than the welfare recipient who rented from him who applied, could he likewise get aid from this particular group?"

Senator Durkan: "I would hope that he could, and if he could not get it from them, he could see you and me, Senator."

Senator Metcalf demanded a roll call and the demand was sustained by Senators Guess, Atwood, Clarke, Whetzel, Jones, Newschwander, Lewis (Harry), Lewis (Bob), Matson and Twigg.

ROLL CALL

The Secretary called the roll and the amendment by Senators Newschwander and Atwood was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—29.

Excused: Senator Talley—1.

Senator Woodall moved adoption of the following amendment:

On page 4, section 20, line 17, after "Appropriation" insert ": PROVIDED, That none of the monies appropriated shall be used for the purchase of advertisements advocating a position in relation to current political, socio-political or economic issues".

Debate ensued.

Senator Woodall demanded a roll call and the demand was sustained by Senators Canfield, Guess, Lewis (Harry), Whetzel, Clarke, Matson, Murray, Metcalf and Lewis (Bob).

ROLL CALL

The Secretary called the roll and the amendment by Senator Woodall was adopted by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Greive, Guess, Henry, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Van Hollebeke, Wanamaker, Woodall—25.

Voting nay: Senators Bailey, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Herr, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Walgren, Washington, Whetzel, Woody—23.

Excused: Senators Talley—1.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 13, section 52, line 23, strike "\$2,676,827" and insert "\$2,878,326".

Debate ensued.

The motion by Senator Lewis (Harry) failed and the amendment was not adopted.

Senator Murray moved adoption of the following amendment:

On page 15, line 15, insert a new section as follows:

"NEW SECTION. Sec. 61. FOR THE OCEANOGRAPHIC COMMISSION OF WASHINGTON

General Fund Appropriation . . . . . \$196,244"  
Renumber the remaining sections.

Debate ensued.

Senator Whetzel demanded a roll call and the demand was sustained by Senators Clarke, Matson, Newschwander, Metcalf, Guess, Canfield, Woodall, Mattingly and Wanamaker.

ROLL CALL

The Secretary called the roll and the amendment by Senator Murray was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Gardner, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Sellar, Twigg, Wanamaker, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—29.



Excused: Senator Talley—1.

Senator Guess moved adoption of the following amendments:

On page 16, section 66, line 23, after "parks" strike all the matter down to and including "summit" on line 26.

On page 16, section 66, line 26, strike "\$568,775" and insert "\$500,000".

Debate ensued.

The motion by Senator Guess failed and the amendment was not adopted.

Senator Woodall moved adoption of the following amendment:

On page 22, beginning on line 29, strike all the material down to and including \$1,500,000" on page 23, line 1.

Debate ensued.

The motion by Senator Woodall failed and the amendment was not adopted.

Senator Whetzel moved adoption of the following amendment:

On page 23, section 88, line 1, after "\$1,500,000" insert a new section as follows:

"NEW SECTION. Sec. 89. FOR THE UNIVERSITY OF WASHINGTON

• General Fund Appropriation for operation

of Harborview Hospital . . . . . \$5,000,000".

Re-number the remaining sections consecutively.

Debate ensued.

Senator Atwood demanded a roll call and the demand was sustained by Senators Peterson (Ted), Guess, Newschwander, Wanamaker, Clarke, Metcalf, Lewis (Harry), Lewis (Bob) and Matson.

ROLL CALL

The Secretary called the roll and the amendment by Senator Whetzel was not adopted by the following vote: Yeas, 20; nays, 28; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Fleming, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—20.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—28.

Excused: Senator Talley—1.

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2104 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Would Senator Durkan yield? Senator Durkan, in the boiler plate there is a provision, section 104, and I would like you to tell us exactly what the import of that first paragraph contains, beginning on line 847 through 850."

Senator Durkan: "The purpose is that there was a question raised in the caucus that if this proviso was not put in and the appropriation was made to the independent elected officials that they could use the money to implement the Governor's salary survey. And in order to say that the funds here were not to be used for that purpose, we put in the proviso that clearly states that these moneys which are appropriated in this bill will not be used to implement the survey."

Senator Atwood: "Mr. President, will Senator Durkan further yield? Are there any salary increases contained in this bill in any way, shape or form?"

Senator Durkan: "No."

Senator Atwood: "That includes the legislative branch also?"

Senator Durkan: "Yes, that includes the legislative branch."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Durkan further yield? Senator Durkan, I have not had a chance to compare these items. You mention things are cut or down. Are you talking about down from what was asked for or in comparison with what similar items received in the 1971 to 1973 biennium? How does this compare percentage-wise with comparable items in our present budget? If it is up, by what percent? If it is down, by what percent?"

Senator Durkan: "It is down from what the Governor requested. It would be about equal to the 1971-1973 appropriation and the increases, if any, would be the result of substantive legislation which this legislature has passed and added to these agencies."

Senator Woodall: "But in the various agency categories themselves, you say the amounts are relatively comparable to the present biennium?"

Senator Durkan: "To the 1971-1973 biennium that we appropriated. Not to that which occurred after we left the legislature and those man years were added. We took those man years out, by and large, from every agency. So we cut back the non-appropriated increase in man years. We have met about the 1971-1973 appropriation level."

## POINT OF INQUIRY

Senator Atwood: "Would Senator Durkan yield? On page 14, section 58, there is a salary increase for the state patrol which I am aware of. This is not in derogation of how you answered to my last question. I am curious if they have filed their salary schedule with the Ways and Means Committee or the Budget Committee for that amount of money. In the testimony we heard the basic salary, but I would hope that they would have filed a salary schedule with us."

Senator Durkan: "Mr. President, I apologize. I should have mentioned that and I did not. That is the only item that is in there and they have, by letter, submitted to us a salary schedule which, incidentally, is now already five and one-half percent behind what they were trying to reach before we even put it in the bill. The counties have already passed a five and one-half percent increase."

## POINT OF INQUIRY

Senator Newschwander: "Will Senator Durkan yield? Senator Durkan, you said we still had some work to do later on in regards to salaries and pensions. I did not hear any remarks made about any relief for special levies, other than I know we will reflect tax reform before us, but do you plan before we go home to have any property relief in any form?"

Senator Durkan: "Mr. President and members of the Senate, it is my hope that we will be able to present the amount of dollars that we have available to you and the members on this side of the aisle, make a determination of what salaries we are willing to pay, how much money, if any, we should appropriate to the unfunded indebtedness of the pension systems and whether we should increase the help, and least but not last, whether or not this legislature is prepared to make a special levy relief appropriation."

## POINT OF INQUIRY

Senator Canfield: "Will Senator Durkan yield? Senator Durkan, you mentioned that this bill will cost two hundred and thirty-three million. Is that correct? Is that the general fund money?"

Senator Durkan: "Yes."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2104, and the bill passed the Senate by the following vote: Yeas, 30; nays, 18; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh,

Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—30.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Sellar, Twigg, Wanamaker, Whetzel, Woodall—18.

Excused: Senator Talley—1.

INGROSSED SUBSTITUTE SENATE BILL NO. 2104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2105, by Senators Atwood and Odegaard (by Executive request): Adopting the capital budget.

## MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 2105 was substituted for Senate Bill No. 2105 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Atwood, the following amendment was adopted:

On page 12, section 4, line 9, after "General Fund" insert "State and local improvements revolving account".

Senator Durkan moved adoption of the following amendment:

On page 35, beginning on line 19, strike "Construct and equip" and insert "To plan construction of a".

On page 35, line 30, strike "(6,523,872)".

## PERSONAL PRIVILEGE

Senator Lewis (Harry): "Mr. President and members of the Senate, this is a rather unusual point to make at this time but, Senator Durkan, I understand the purpose of the amendment that we have on our desks. I believe that The Evergreen College has had a very stern message handed to it. The language that you are attempting to change in your two amendments, I believe, is unnecessary as apparently you believe it is necessary to change. However, I rise on a point of personal privilege to ask you to reconsider offering the amendments that you present because of your understanding of the problems of Evergreen and the efforts that they are making as a new school to move ahead. I ask this in the spirit of trying to do a job here that is worthwhile and I ask for your understanding and I request that you give consideration now, prior to the finishing of the reading of your amendments, to withdrawing them."

The Secretary continued reading the amendment by Senator Durkan.

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Murray yield to a question? You said they provide a service that no other school can or does. What is that service?"

Senator Murray: "I think they are appealing to some of our brightest students in the state, Senator, that are not going to college and not getting a four-year education at the other four-year schools in the state, because they have two structures. Class procedure, a different way of teaching. There is something at Evergreen that appeals, I feel, to some of the brightest brains that we have in this state, and it would be a mistake to close that school or to cut it down."

The motion by Senator Durkan carried and the amendment was adopted on a rising vote.

On motion of Senator Durkan, the following amendment was adopted:

On page 35, beginning on line 31, strike all the matter down through line 4 on page 36.

On motion of Senator Odegaard, the following amendment by Senators Odegaard and Lewis (Harry) was adopted:

On page 43, line 10, after "Technical Campus" strike "2,470,174" and insert "PROVIDED, That \$20,000 of this appropriation shall be available for development of schematic plans for support facilities (Community College Capital Improvement Account) . . . \$2,490,174".

On motion of Senator Durkan, the following amendment was adopted:

On page 49, after line 11, insert:

"NEW SECTION. Sec. 22. There is hereby appropriated for capital improvement purposes to the Washington State Historical Society from the General Fund, the sum of \$150,000 for the biennium ending June 30, 1975."

Renumber the remaining sections consecutively.

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2105 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2105, and the bill passed the Senate by the following vote: Yeas, 39; nays, 9; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—39.

Voting nay: Senators Guess, Jones, Lewis (Bob), Mattingly, Metcalf, Murray, Scott, Sellar, Whetzel—9.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2328, by Senators Walgren, Guess and Henry:

Adopting the operations and capital improvements budget for the state highway commission.

#### MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2328 was substituted for Senate Bill No. 2328, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, Substitute Senate Bill No. 2328 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2328, and the bill passed the Senate by the following vote: Yeas, 39; nays, 9; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob),

Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—39.

Voting nay: Senators Atwood, Clarke, Fleming, Grant, Lewis (Harry), Murray, Scott, Sellar, Whetzel—9.

Excused: Senator Talley—1.

SUBSTITUTE SENATE BILL NO. 2328, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

SENATE BILL NO. 2337, by Senators Walgren, Guess and Henry (by Executive request):

Making appropriations for city streets, county roads, and other nonstate highways.

The bill was read the second time by sections.

On motion of Senator Walgren, Senate Bill No. 2337 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2337, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senators Fleming, Grant, Murray, Scott, Whetzel—5.

Absent or not voting: Senator Durkan—1.

Excused: Senator Talley—1.

SENATE BILL NO. 2337, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 28, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 46, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 46.

#### MOTION

At 6:55 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, March 29, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-FIRST DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Thursday, March 29, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Durkan, Rasmussen, Scott, Talley, Walgren, Whetzel and Woodall. On motion of Senator Atwood, Senator Woodall was excused. There being no objection, Senators Durkan and Talley were excused.

The Color Guard, consisting of Pages Jim Hillier and Beverly Metcalf, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

"WE THANK YOU GOD FOR THE BLESSING OF BEING ABLE TO BE CO-LABORERS TOGETHER WITH YOU. ALTHOUGH THERE ARE MANY THINGS WHICH YOU DO IN WHICH WE HAVE NO PART; LIKE KEEPING THE STARS IN THEIR ORBITS, SENDING THE SUNSHINE AND THE SHOWERS, PAINTING THE SUNSET AND THE DAFFODILS; YET WE THANK YOU FOR THE MANY OTHER THINGS JUST AS GREAT AND BEAUTIFUL IN WHICH YOU PERMIT US TO HAVE A PART. WHAT AN HONOR NOW THROUGH THE LEGISLATIVE PROCESS TO BE A CO-WORKER WITH YOU IN DISPELLING INJUSTICE AND POVERTY AND MISERY, AND IN THE TRANSFORMATION OF LIVES AND SOCIETY.

"WE ARE GRATEFUL, OUR FATHER, FOR THE PRIVILEGE OF SERVING. WE THANK YOU THAT WE DO NOT HAVE TO BE WEALTHY TO SERVE; WE DO NOT HAVE TO BE BRILLIANT TO SERVE; WE HAVE ONLY TO BE WILLING TO SERVE.

"WE THANK YOU FOR EVERY OPPORTUNITY TO COME A PART FOR AWHILE FROM THE TURBULENCE OF LIFE TO BE PUT IN SHAPE FOR LIFE'S SERVICE AGAIN. MAKE THIS TIME OUT SUCH A TUNE-UP TIME THAT WE MAY BE MORE HELPFUL TO OTHERS. THROUGH JESUS CHRIST OUR LORD. AMEN."

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

March 28, 1973.

SENATE BILL NO. 2300, permitting use of electronic data processing system in selecting juries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2343, requiring that a party to a civil action be furnished with a copy of any statement made by him (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2399, defining reasonable attorney's fees in eminent domain proceedings (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 27, 1973.

SENATE BILL NO. 2410, allowing the operation of school buses and certain trucks under any road conditions (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman, Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Mattingly, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE BILL NO. 2460, providing for warranties on consumer goods (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 27, 1973.

SENATE BILL NO. 2531, defining environmental impact statement requirements (reported by Committee on Ecology):

MAJORITY recommendation: That Substitute Senate Bill No. 2531 be substituted therefor and the substitute bill do pass.

Signed by: Senators Washington, Chairman; Murray, Stortini, Whetzel.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2556, providing for advisory council to commissioner of employment security (reported by Committee on Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Connor, Chairman; Fleming, Jones, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2580, making it a felony to present a lost, stolen or counterfeited identification card or credit card for purposes of personal identification (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 22, 1973.

SENATE BILL NO. 2647, providing for the creation of a special investigation and referral unit in the DSHS (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2647 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Gardner, Mardesich, Marsh, Ridder, Sandison.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2655, revising the powers of mutual savings banks relating to trusts and wills (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Mardesich.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2670, providing increase for justice court juror's fees (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 27, 1973.

SENATE BILL NO. 2787, implementing the laws relating to the licensing of certain motor vehicles (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2787 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Jolly, Lewis (Bob), Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 29, 1973.

ENGROSSED HOUSE BILL NO. 124, requiring applicant for real estate license to give certain information (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 492, redefining "clock hours of instruction" for real estate brokers and salesmen licensing provisions (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.



March 29, 1973.

HOUSE BILL NO. 604, providing that licensed real estate salesman may sell mobile home when sold with land on which it rests (reported by Committee on Commerce):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 847, repealing certain limitations on county legal aid programs (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Gardner, Jolly, Murray, Sellar.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE GOVERNOR

Office of the Governor, March 28, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on March 28, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2069: Permitting defense counsel payments in justice courts.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

#### MESSAGE FROM THE HOUSE

March 28, 1973.

Mr. President: The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 10,

ENGROSSED HOUSE BILL NO. 97,

ENGROSSED HOUSE BILL NO. 423,

HOUSE BILL NO. 648, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE JOINT MEMORIAL NO. 126, by Senators Peterson (Lowell), Peterson (Ted), Sandison, Henry, Marsh, Metcalf, Mardesich and Talley:

Urging the California legislature not to change the class of silver salmon which may be taken.

There being no objection, additional sponsors were permitted on Senate Joint Memorial No. 126.

#### MOTIONS

On motion of Senator Peterson (Lowell), Senate Joint Memorial No. 126 was advanced to second reading and read the second time in full.

On motion of Senator Peterson (Lowell), Senate Joint Memorial No. 126 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 126, and the memorial passed the Senate by the following vote: Yeas, 39; absent or not voting, 7; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Wanamaker, Washington, Woody—39.

Absent or not voting: Senators Day, Keefe, Rasmussen, Scott, Sellar, Walgren, Whetzel—7.

Excused: Senators Durkan, Talley, Woodall—3.

SENATE JOINT MEMORIAL NO. 126, having received the constitutional majority, was declared passed.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 10, by Judiciary Committee (originally sponsored by Representatives Ehlers, Shinpoch, Wojahn and Goltz):

Providing that disclaimer of warranties in the sale of consumer goods shall be ineffective.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 97, by Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council request):

Providing compensation in inverse condemnation cases for loss of value where there is no trespass to the property.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 423, by Representatives Ceccarelli and Rabel (by Department of Commerce and Economic Development request):

Providing for alien banks in Washington.

## MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 423 was referred to the Committee on Rules.

HOUSE BILL NO. 648, by Representatives Thompson, Kelley and May:

Implementing the law of industrial insurance.

Referred to Committee on Labor.

## MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:15 a.m.

## SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 11:15 a.m.

## MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2085 was ordered held on the second reading calendar for consideration on Friday, March 30, 1973.

SECOND READING

SENATE BILL NO. 2667, by Senator Dore:

Authorizing public bodies to deposit the retained percentage funds on public works contracts in a bank.

The Senate resumed consideration of Senate Bill No. 2667 and the pending amendment to page 1, section 1, line 25, proposed by Senator Woody on Wednesday, March 28, 1973.

There being no objection, the amendment by Senator Woody was withdrawn.

On motion of Senator Woody, the following amendment by Senators Woody and Whetzel was adopted:

On page 1, section 1, line 23, after "contractor." insert "*The public body shall give notice by certified mail within seven days after the final acceptance of said improvement or work to all persons, mechanics, subcontractors or materialmen from whom the public body previously has received written notification of performing work or supplying materials, but failure to give such notice shall not impose any liability on the public body.*"

On motion of Senator Dore, Engrossed Senate Bill No. 2667 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Guess: "Will Senator Woody yield? Senator Woody, the amendment that has just been placed on page 1 of the bill requires notification by the public body of all persons who have filed a notice of lien during the construction of the project. Does this in any way change the present statutory language having to do with liens?"

Senator Woody: "No, it does not, Senator."

Senator Guess: "In other words, a man cannot forget to file his lien in the early period or timely and then file a written notice late and have this to perfect that lien?"

Senator Woody: "You are correct, Senator Guess. If the would-be claimant does not file within the thirty day period of time provided by RCW 39.08.030 then he is out, even though he has given written notice prior thereto to the governing body as provided in the amendment."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2667, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—46.

Excused: Senators Durkan, Talley, Woodall—3.

ENGROSSED SENATE BILL NO. 2667, having received the 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 Senator Walgren, the following Senate Bills were ordered held on the second reading calendar for Saturday, March 31, 1973: 2134, 2045, 2046, 2518, 2659 and 2366; also Senate Concurrent Resolution No. 124.

On motion of Senator Walgren, Senate Bill No. 2129 was ordered held on the third reading calendar for Saturday, March 31, 1973.

## SECOND READING

SENATE BILL NO. 2548, by Senators Bailey, Matson and Peterson (Lowell):

Authorizing the game commission to issue elk tags by subspecies of animal or geographic area.

## MOTION

On motion of Senator Peterson (Lowell), Senate Bill No. 2548 was re-referred to the Committee on Rules.

## SECOND READING

SENATE BILL NO. 2036, by Senators Odegaard, Talley and Gardner:

Creating a division of corrections within the department of social and health services.

## MOTION

On motion of Senator Lewis (Harry), Senator Guess was excused.

The bill was read the second time by sections.

On motion of Senator Odegaard, Senate Bill No. 2036 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2036, and the bill passed the Senate by the following vote: Yeas, 32; nays, 13; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Odegaard, Peterson (Lowell), Rasmussen; Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—32.

Voting nay: Senators Atwood, Clarke, Grant, Jones, Lewis (Harry), Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Wanamaker, Whetzel—13.

Absent or not voting: Senator Matson—1.

Excused: Senators Durkan, Guess, Talley—3.

SENATE BILL NO. 2036, having received the 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. 2840, by Senators Marsh and Henry:

Providing for reciprocal agreements with bordering states relating to the employment of workmen on public projects.

The bill was read the second time by sections.

On motion of Senator Marsh, the following amendments by Senators Marsh and Henry were adopted:

On page 1, section 1, line 13, after "employed" strike all the matter down through and including "subcontractors" on line 18 and insert "[except that any contractor or subcontractor may employ not more than five persons without regard to the residency requirements stated herein in the performance of any such contract: PROVIDED, That the state of the residence of the contractor or subcontractor provides reciprocal rights to Washington contractors or subcontractors]".

On page 2, section 1, line 11, after "improvement" strike all the matter down through and including "state" on line 16.

On motion of Senator Marsh, Engrossed Senate Bill No. 2840 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2840, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Bottiger, Fleming—2.

Excused: Senators Durkan, Guess, Talley—3.

ENGROSSED SENATE BILL NO. 2840, having received the 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

At 12:30 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

There being no objection, the Senate returned to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE JOINT MEMORIAL NO. 127, by Senator Woodall:

Seeking President Nixon's presence at the National Conference of state legislative leaders.

MOTIONS

On motion of Senator Woodall, Senate Joint Memorial No. 127 was advanced to second reading and read the second time in full.

On motion of Senator Walgren, all members of the Senate were added as additional sponsors to Senate Joint Memorial No. 127.

On motion of Senator Woodall, Senate Joint Memorial No. 127 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 127, and the memorial passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Excused: Senators Durkan, Guess, Talley—3.

SENATE JOINT MEMORIAL NO. 127, having received the constitutional majority, was declared passed.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 120, by Senators Sellar and Murray:

Requesting continued federal funding of the Seattle/King county Alcohol Safety Action Project.

The bill was read the second time by sections.

On motion of Senator Sellar, Senate Joint Memorial No. 120 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 120, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Guess, Talley—2.

SENATE JOINT MEMORIAL NO. 120, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Gardner, the following resolution was adopted:

#### SENATE RESOLUTION 1973-50

By Senators Gardner, Atwood and Van Hollebeke:

WHEREAS, Crime is America's number one domestic problem, costing us many billions of dollars annually and the crime problem is neither going to be wished away, nor is it going to be solved easily; and

WHEREAS, In a participating democracy the criminal justice system needs the constant attention of all citizens for the purposes of general education, local participation and civic activities; and

WHEREAS, The Puget Sound Coalition has demonstrated ample capability to involve large numbers of citizens in the pressing issues of mass societies presently and in the future; and

WHEREAS, Western Washington State College, Pacific Lutheran University and Seattle University have joined to form a consortium of colleges to better serve the communities in the Puget Sound region and are specifically and increasingly concerned with community education about issues crucial to everyday existence; and

WHEREAS, These colleges have joined with a commercial broadcasting company (KING-TV) and public broadcasting stations (KCTS and KTPS), in producing a public awareness/action project with support from Law and Justice Planning Offices, said project entitled "The Second Mile" in order to create a more secure and a more just society in which crime is reduced;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington hereby urges all citizens of the Puget Sound region to participate in the Public Education Television Series on the Criminal Justice System, "The Second Mile", as viewers and group participants.

There being no objection, the Senate returned to the sixth order of business.

### SECOND READING

SUBSTITUTE SENATE BILL NO. 2085, by Committee on Transportation and Utilities (originally sponsored by Senators Washington, Guess and Henry):

Bringing Washington traffic laws into conformity with those of other states.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment by Senators Washington and Woodall was adopted:

On page 3, section 3, beginning on line 24, strike all of section 3 and renumber the remaining sections.

Senator Washington moved adoption of the following amendment by Senators Washington and Woodall:

On page 6, beginning on line 7, strike all of section 14 and renumber the remaining sections.

### POINT OF INQUIRY

Senator Canfield: "I wanted to ask Senator Washington a question if I may? Senator, I did not know just what was in section 14, and in looking at it, it applies to the implied consent?"

Senator Washington: "Yes, it does."

Senator Canfield: "And I am wondering, are you now trying to make it so that drinking drivers can keep on the highways?"

Senator Washington: "No, as you very well know, I would like very much to have this particular bill pass. There is a bill similar to it which is now in the Rules Committee. But as far as the rules of the road are concerned, I am much interested in passing the rules which relate to the conduct of drivers. I might explain that the most important thing, as far as the federal Highway Safety Administration is concerned, is to have the laws of all states the same, particularly as they relate to the movement of a vehicle from state to state, and the primary purpose of this bill is to make the laws uniform. Included in this bill, as drafted, are the sections relating to the implied consent. And in keeping with other agreements we had made that these bills would go through Judiciary rather than through the Transportation Committee, I am agreeing to the withdrawal of the amendment."

Senator Canfield: "I thought I understood your thinking on this, Senator. You are saying then that there is no attempt being made to open the highways to drinking drivers?"

Senator Washington: "Oh, no. None whatever. This would be an amendment to our present act. I think it would be a good amendment, but I do think we should keep with the general understanding we had that this type of bill would go through Judiciary."

The motion by Senator Washington carried and the amendment by Senators Washington and Woodall was adopted.

On motion of Senator Washington, the following amendment by Senators Washington and Walgren was adopted:

On page 9, section 15, lines 8 and 17, after "vehicle" and before "which" insert "*or other property*".

On motion of Senator Washington, the following amendment by Senators Washington and Woodall was adopted:

On page 11, section 17, line 17, after "knowing" strike "or having reason to believe", and on line 27 strike "[46.52.090] 46.52.085" and insert "46.52.090".

On motion of Senator Washington, the following amendments by Senators Washington and Walgren were adopted:

On page 14, section 21, subsection (3) (c), line 25, after "shown" and before the period insert": *PROVIDED, That such traffic may, after stopping cautiously proceed to make a right turn from a one-way or two-way street into a two-way street or into a one-way street carrying traffic in the direction of the right turn; or a left turn from a one-way street or two-way street into a one-way street carrying traffic in the direction of the left turn; unless a sign posted by competent authority prohibits such movement; but vehicular traffic*

*making such turns shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited”.*

On page 15, strike lines 5 through 32 and insert:

“Whenever special pedestrian-control signals exhibiting the words “Walk” or “Don’t Walk” are in place such signals shall indicate as follows:

(1) WALK—Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

(2) *STEADY DON’T WALK or FLASHING DON’T WALK*—No pedestrian shall start to cross the roadway in the direction of *either* such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the don’t walk signal is showing.

(3) Pedestrian-control signals having the “Wait” legend in use on August 6, 1965 shall be deemed authorized signals and shall indicate the same as the “Don’t Walk” legend. Whenever such pedestrian-control signals are replaced the legend “Wait” shall be replaced by the legend “Don’t Walk”.

On page 18, beginning on line 23, strike all of section 29 and insert the following:

“Sec. 29. Section 30, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.190 are each amended to read as follows:

(1) Preferential right of way [at an intersection] may be indicated by stop signs or yield signs as authorized in RCW 47.36.110.

(2) Except when directed to proceed by a *duly authorized flagman, or a police officer, or [traffic control signal] a fire fighter vested by law with authority to direct, control, or regulate traffic*, every driver of a vehicle approaching [a stop intersection indicated by] a stop sign shall stop [as required by RCW 46.61.360 subsection (2)] *at a clearly marked stop line, but if none, before entering a marked crosswalk on the near side of the intersections or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway*, and after having stopped shall yield the right of way to any vehicle [which has entered] the intersection [from another highway] or [which is] approaching *on another roadway* so closely [on said highway] as to constitute an immediate hazard during the time when such driver is moving across or within the intersection *or junction of roadways*.

(3) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and *if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering a marked crosswalk on the near side of the intersections or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, and then after slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another [highway] roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways: PROVIDED, That if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.”*

On page 19, section 30, strike lines 26 through 33 in their entirety, and on page 20, strike line 1 in its entirety and insert:

“(2) Left turns. The driver of a vehicle intending to turn left [at any intersection] shall approach the [intersection] *turn* in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle [and after entering the intersection] *Whenever practicable* the left turn shall be made to *the left of the center of the intersection and so as to leave the intersection or other location in [a] the extreme left-hand lane lawfully available to traffic moving in [such] the same direction [upon] as such vehicle on the roadway being entered. [Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.]*

On motion of Senator Washington, the following amendment was adopted:

On page 22, section 33, strike lines 23 through 25 and insert the following:

“[(2) No stop need be made at any such crossing where a police officer or a traffic control signal directs traffic to proceed.]



*(2) This section shall not apply at*

- 1. Any railroad grade crossing at which traffic is controlled by a police officer or a duly authorized flagman;*
- 2. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;*
- 3. Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;*
- 4. Any railroad grade crossing at which an official traffic control device gives notice that the stopping requirement imposed by this section does not apply."*

On motion of Senator Washington, the following amendments by Senators Washington and Woodall were adopted:

On page 24, beginning on line 11, strike all of section 37, and renumber the remaining sections.

On page 26, beginning on line 18, strike all of sections 38 and 39, and renumber remaining sections.

On motion of Senator Woody, the following amendments were adopted:

On page 28, section 40, line 32, strike all of line 32, and renumber "(x)" as "(ix)".

On page 33, section 48, line 13, after "sidewalk" and before the period insert "or, where there is no sidewalk, then off the main traveled portion of the highway".

On motion of Senator Washington, the following amendment by Senators Woodall and Washington was adopted:

On page 35, section 55, line 16, strike subsection (4), and renumber remaining subsection.

On motion of Senator Washington, the following amendment by Senators Washington and Walgren was adopted:

On page 35, section 55, line 18, after "(5)" being renumbered "(4)" insert "Section 50, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.360; and".

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Whetzel served notice that he would, on the next working day, move for reconsideration of the vote by which the Senate adopted the amendment by Senators Washington and Walgren to page 9, section 15, lines 8 and 17, was adopted.

#### MOTION

On motion of Senator Washington, the following amendments by Senators Washington and Woodall to the title were adopted:

On page 1, line 4 of the title, following "RCW 46.04.080;" strike all of the material down to and including "RCW 46.04.090;" on line 5.

On page 1, line 12 of the title, following "RCW 46.04.650;" strike all of the material down to and including "RCW 46.20.308;" on line 13.

On page 2, line 17 of the title, following "RCW 46.61.440;" strike all of the material down to and including the semicolon on line 21.

On page 3, line 2 of the title, following "46.04.250;" strike all of the material down to and including "46.04.490;" on line 3.

On page 3, line 3 of the title, after "RCW 46.04.090;" strike all the material down to and including "46.52.090;" on line 5.

On page 3, line 5 of the title, after "46.52.090;" insert "repealing section 50, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.360;".

#### MOTION

On motion of Senator Francis, Senate Bill No. 2085, as amended, was ordered placed at the beginning of the second reading calendar for Friday, March 30, 1973.

## SECOND READING

SENATE BILL NO. 2516, by Senators Atwood, Newschwander and Durkan:

Making certain changes in laws relating to dispersal of funds.

The bill was read the second time by sections.

On motion of Senator Atwood, the following amendment was adopted:

On page 2, section 3, line 13, after "*management*" insert "*or any successor agency or committee of the legislature*".

On motion of Senator Atwood, Engrossed Senate Bill No. 2516 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2516, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Excused: Senators Guess, Talley—2.

ENGROSSED SENATE BILL NO. 2516, having received the 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. 2190, by Senators Grant, Ridder and Stortini:

Granting the power of initiative and referendum to the voters in noncharter code cities.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, Senate Bill No. 2190 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2190, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—44.

Voting nay: Senators Matson, Murray, Woodall—3.

Excused: Senators Guess, Talley—2.

SENATE BILL NO. 2190, having received the 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. 2454, by Senators Bottiger and Grant:

Making certain changes in the regulation of employment agencies.

## MOTIONS

On motion of Senator Bottiger, Substitute Senate Bill No. 2454 was substituted for Senate Bill No. 2454 and placed on second reading.

On motion of Senator Mardesich, Substitute Senate Bill No. 2454 was ordered held on the second reading calendar for Friday morning, March 30, 1973.

## MOTION

At 2:20 p.m., on motion of Senator Bailey, the Senate was declared to be at ease.

President Pro Tempore Henry called the Senate to order at 4:10 p.m.

At 4:15 p.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of hearing a message from the Apollo 17 Astronauts.

## JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President Pro Tempore Al Henry and Vice President Pro Tempore James Keefe of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the members of the Washington State Senate to seats within the House Chamber.

The Speaker turned the gavel over to the President Pro Tempore of the Senate.

The Secretary of the Senate called the roll of the Senate, and all members were present.

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

President Pro Tempore Henry: "Members of the Legislature and our guests here today: We are here to visit with, meet, and honor three heroes from the United States Astronaut Team, the Astronauts of Apollo 17."

The President Pro Tempore appointed the following committee to escort the honored guests from the State Reception Room to the rostrum: Senators Knoblauch, Mardesich, Atwood and Lewis (Harry), and Representatives Moon, Anderson, Hoggins and Julin.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the Crew of Apollo 17, Commander Eugene A. Cernan, Command Module Pilot Ronald E. Evans, and Lunar Module Pilot Harrison H. Schmitt at the bar of the House, and the President Pro Tempore requested the committee to escort them to seats on the rostrum.

President Pro Tempore Henry: "Somebody called my attention to the fact that we do things in reverse order. One of the members of the escort committee is Representative Moon, so we sent Moon to the astronauts this time. At this time it is my great pleasure to introduce to you Captain Eugene A. Cernan, the Commander of Apollo 17, who will in turn introduce our other guests."

Captain Eugene A. Cernan: "Thank you, Mr. President, Mr. Speaker, and distinguished leaders of the State of Washington and guests: We are not going to take up much of your time today because from what I have seen outside you must be very busy during this session. All I can do is wish you an awful lot of luck, and I'm glad it's you and not me. We have had an opportunity to come back here to the state of Washington to see some people in Seattle, to see some people back at Boeing's who contributed so very much to making our thirteen days as successful as it was. We want to thank you ladies and gentlemen for inviting us here to the state capitol, because indeed it is very sincerely an honor and a privilege to be able to talk to the people of the state. You have a very beautiful state, I might add, and one I would like to learn more about.

"Our primary purpose in touring around the country since our flight is to give people a feeling of identity with what we believe are their accomplishments, not ours. In going back and talking to the people who did so much work on the Saturn 5 booster that took us to the moon and who did so much work on our lunar rover, our dune buggy, we had the

opportunity of sharing with them our experiences and reminding them, if you will, that there is a great deal in being proud of today, to be an American.

"We have heard many words about the accomplishments of the space program and the accomplishments of Apollo 17. We have heard words such as the 'legacy of the men of Apollo,' or the 'legacy of the people of Apollo.' It may be that, and it is a very proud legacy, but it is a legacy that I firmly believe belongs to a nation. And it is a legacy that I like to think of somewhat differently than you might have heard before, because I consider it a legacy of pride. Pride when an American a few years ago was the first man of the human race we call Mankind to set foot on another planet. An American who, in answer to the shocked and astonished world, during the events of Sputnik, gained more pride and more respect and more friends for this nation of ours by that one single step than any other event, certainly in my lifetime, and perhaps in the entire history of our nation.

"I look at it as a legacy of spirit. Spirit when that same American, Neil Armstrong, planted the American flag in the surface of the moon—not as a conquest, not as a colonial influence in terms of claiming a portion of real estate out in space for our country—but I look at that one, almost simple, effort of putting our flag on the surface of the moon as a symbol of the dedication and the courage and the effort and the self-sacrifice and the ambition of the 200 million people who really made that event possible. This is so very important because it is the same courage and the same self-sacrificing and the same dedication by so many people who have preceded us, that for 200 years have made this country the greatest nation that the world has ever seen.

"I consider the legacy of Apollo, the legacy of what I call emotion. Because although it has been called the greatest technological endeavor in the history of man, and this may very well be, I think of it, because of the human aspect of it, probably as the greatest human endeavor that mankind has ever seen. For the first time we have been able not to just dream and create in our minds what our world might look like from afar (from a quarter of a million miles away), but for the first time we have sent man out there—we have sent a human being.

"We were able to look back at our earth and see it as beautiful as it really is and see the roundness and the fulfillment of that earth. We were able to look from the snow-capped North Pole to the snow-topped mountains of the south. You can look across continents. You can look from shoreline to shoreline and from ocean to ocean, and as you watch the colors of the ocean change, you can see nighttime progress—literally progress across our world as it turns. And you look, for the strings that hold our world up, because there must be something.

"You look that far away from earth and see the blackest black man can ever create in his mind, and that is something I call the infinity of time and the infinity of space. I don't really understand what that is, or what it means, but I know it exists. The most important thing I can bring back to you from that legacy of emotion is that when I think back at the beauty and think back at the logic, and I look at the purposeness at which our earth moves deliberately through the infinity of time and the infinity of space—not tumbling, not moving aimlessly—I just really affirm my convictions that it is all too beautiful to have happened by accident. That there is somebody bigger than you, and bigger than me—regardless of how we individually decide to worship Him that put it all together—that it did not happen by accident. When you look back and consider the human being, and the miracle of its creation here on earth, you know that we have endless bounds of opportunity, certainly here on this earth, and in this nation, and also throughout our universe if we so desire to use the spirit and soul and curiosity for knowledge that God gave us.

"I look at Apollo as a legacy of responsibility. Responsibility as we look back at that earth to utilize the technology and the influence that we have learned in our travels to the moon, to preserve this earth, to make it a better place for you and for me and our children to live—so that we, as mankind, may take our places in this everlasting universe.

"I look at it as a legacy of challenge that we have toward the young people in this nation and throughout the world, but particularly in this country of ours; to remind them of their heritage—the traditions under which this country was formed and achieved greatness; to give them the stimulus and the pride toward this country that it so very righteously deserves; to remind them that freedom and opportunity had to be earned—it never was given to anybody.

"I look at the legacy of Apollo in terms of a legacy of responsibility. One that requires us to pursue some sort of peaceful cooperation with countries throughout the world. And now we have that opportunity, through a common goal of space-- a common adventure and a common challenge that is there for all men. We have the opportunity to learn to communicate and talk with one's great adversaries. If we don't take advantage of that opportunity today, it may never come again.

"I think there is one other legacy of Apollo, that I am reminded of from time to time, and that is the legacy of challenge. When in a decade, in the past 10 or 12 years, this nation was torn apart by civil strife, social problems, and involved in a very unpopular war, no matter what your feelings were. It was a period in our history when we could have turned in upon ourselves, turned our backs on the future, turned our backs on challenge, felt sorry for ourselves, and perhaps might have begun the decay and the dying that happens to all men and to all nations when you take away from them goals--when you take away from them frontiers. All men and all nations need something that is difficult to achieve. Everybody needs something to stand on his tiptoes for-- that is hard to reach, that is hard to attain. We three, the three of us standing here, went to the moon, but believe me (and I think this is probably the most important thought I can leave with you) we did not do it alone. We had a lot of help, from a lot of people with a great heritage and a great history. We stood on the shoulders of giants-- the giants of a nation--shoulders that have been nurtured and grown to near maturity. We have now led the way in teaching this entire world of ours to reach just a little bit further than our grasp--reaching with perhaps the opportunity to learn something about our past, and most certainly something about our future. And how far we can reach, ladies and gentlemen, is limited simply by the complacency of man himself. And what we can attain and what the significance of the legacy I have referred to--the legacies of Apollo--really mean to the nation, and thus to the entire world, is simply up to us. I guess only history really can judge whether or not we have allowed the true legacy of Apollo, the true spirit of Apollo, to become a reality, and that we truly did come with peace and in hope for all mankind. I am very proud to have played a part, very proud to have represented you ladies and gentlemen and young people--you as Americans--in doing something that I believe can do nothing but ultimately make our lives and our nation greater and this world a far better place for all of us to live. I thank you very much."

(Applause)

"Thank you. Washington has sort of become a second home to me, or at least I hope it will, because my only sister now lives up north of Bremerton, so I hope I will have the opportunity of paying many return visits to this part of the country.

"I would like to introduce the second member of our team--one of my other two colleagues of whom I am very proud. Because of time I can't tell too many stories on him, but I'm going to tell one quick one. He likes to sleep. He has a hard time getting up in the mornings--he always has, all his life. We were concerned about that particular problem in space--you can't afford to have a guy sleeping on the job, particularly when you are going a quarter of a million miles and you are worried about a half second. We were concerned about it and asked his wife, Jan, before the flight--'You must have a problem, but Ron seems to get to work on time. How do you solve the problem?' She seemed very unconcerned. She said, 'Well, that's easy, I just give him a kiss in the morning.' After 21 days in quarantine before the flight, and 13 days going to and from the moon, I want to report to you now that Ron Evans is still a virgin.

"Very fondly and very proudly, in association with the naming of our space craft, America, because it was our way of paying tribute to the people of this nation, because of the way he piloted America--Ron Evans, Captain America."

Captain Ronald E. Evans, Apollo 17 command module pilot, described the take-off and the flight of Apollo 17 and told of some of his experiences, including:

Captain Evans: "Eleven minutes and thirteen seconds into the flight you are going 18,000 miles per hour, and you are floating around the earth. What a delightful feeling. It is really great. Of course, while you are up there you have to eat. I dearly love to eat up there--that's a lot of fun, too. The food is packaged in little plastic bags and it's freeze-dried, or dehydrated, and has to be reconstituted. So you have to squirt some water into it, and you squish it around and you end up with a bowl of potato soup, or tomato soup, or pudding, and very carefully you hold your bowl of soup here, but it's still in the plastic bag,

so you have to take the scissors, you open the top and there's your bowl of soup. Then you reach around and find your spoon. Just a plain old tablespoon, you dip the tablespoon down in the soup—hold it straight and narrow and reach up and take a bite. After about a day and a half I decided 'wait a minute—in zero gravity it doesn't make any difference. There isn't any up or any down.' One of the delightful things is to take your soup, turn it upside down, reach around with your spoon, and just let it float in your mouth. But the one thing you can't do is take a drink of water out of a glass. If you put water in a glass it sticks to the side of the glass and if you try to take a drink, then it sticks to your nose.

"I would like to introduce the third member of our crew, Jack Schmitt. As you all know, he found some orange soil on the lunar surface. Now what he doesn't know is that I had a little bit of Tang left over, and I dumped it out every time we went over the landing site. Seriously, Jack is our geologist. He is a scientist—he is Harrison H. Schmitt, PhD. But I'll tell you, he ran the right side of the lunar module and he ran the right side of our command module, America. I want to introduce him now as Astronaut Jack Schmitt."

Lunar Module Pilot Schmitt: "Thank you very much. I have to pause for a drink of water once in awhile. I hope you will forgive me. It's the great Washington state water, or should I say the great Olympia water. But also It's a sinus problem I picked up in Arizona. I hope you don't walk on Mr. Moon as much as we walked on the moon. (I don't know whether he needed that or not.) I'd like to propose some legislation that has to do with parking out front.

"More seriously, I probably should talk to you about the geology of the moon, but I think I will forego that and maybe send you a paper or two I hope to write. I think it is more important to pause and reflect on the history of Apollo—not only the history of science, and of man, that has been made in the last decade, but also maybe what the history of the future holds for us."

Dr. Schmitt discussed the opportunities of the future, and stated:

"There are now new resources in the broadest sense of that word, which have never been available to mankind for research, for manufacturing, and possibly, most importantly, for service to our fellow man. The question before the nation as I see it is whether or not we, of this generation, will continue to develop our technological capability to use these new resources—first in nearer space, and eventually among the planets.

"I also hope that we all, as leaders of states and of the nation, have the compassion and wisdom to survive the present, and the imagination and wisdom to see the future. Thank you very much."

Command Module Pilot Evans: "We are pleased and proud to present this picture to the House of Representatives, and if I may read the inscription: 'To the Washington State House of Representatives, the Honorable Leonard A. Sawyer, Speaker. Our sincere appreciation to you individually and collectively for the faith and support you gave to America's space program. May it usher in an era of peace and progress for all mankind. With all personal best wishes from the crew of Apollo 17.'"

Lunar Module Pilot Schmitt: "Our mission in Apollo 17 is represented in this picture of our launch from Cape Kennedy. This is the capsule—of course, it's 360 feet high, but it's a capsule. We would like to present this to the Washington State Senate and in lieu of the Lieutenant Governor, I would like to have the President Pro Tempore Mr. Henry, accept this. It reads: 'The work you accomplish here is the hope of today, which becomes the reality of tomorrow. With sincere personal best wishes and appreciation for your continued support of America's space program. The Crew of Apollo 17.'"

The Speaker of the House: "Gentlemen, on behalf of the House of Representatives, I am very pleased indeed to receive this. We will hand it in an appropriate place in the Speaker's office where it can be seen by everyone. We are very, very pleased, and I think that you do represent the hope of tomorrow. We are certainly glad to have you on board with us today. Thank you very much for all you have contributed to our country."

President Pro Tempore Henry: "I am sure all of you in the space program are familiar with the term 'back-up man.' And as the back-up man for Lieutenant Governor Cherberg, it is my pleasure to accept this for the Senate and the people of the state of Washington. You gentlemen made it all sound so very easy. In fact it sounds much easier than arriving at an agreement on a budget or a cut-off date for the legislature. I will say this: If I could only take the time to recount the individual accomplishments of these three gentlemen, their

deeds are legend. My fellow Jayhawker here from Kansas, Captain Evans, went from 7 months combat duty in Viet Nam as a Navy combat pilot directly into the space program. There are just lots of things I could tell you about these three—but the one thing I really can't understand is how you could sleep. It must have been a very weird feeling, to know you are sitting on top of a tremendous piece of machinery, made of millions of component parts—all furnished by the lowest bidder."

Captain Evans: "But some of those low bidders were from Washington state."

President Pro Tempore Henry: "That makes it all very well. Would the honor guard please come forward and escort our guests from the Chamber, with our heart-felt thanks for being here, and our thanks for making it back safely."

The committee escorted the Crew of Apollo 17 from the rostrum.

#### MOTION

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

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President Pro Tempore Al Henry, and Vice President Pro Tempore James Keefe, and the members of the Senate to the Senate Chamber.

#### SECOND AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 5:30 p.m.

#### SECOND READING

SENATE BILL NO. 2377, by Senators Grant and Stortini (by Secretary of State request):

Changing laws relating to U.S. congressional elections.

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE BILL NO. 2377, changing laws relating to U.S. congressional elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after "election" and before "even" strike "*held on the next ensuing*" and insert "*in the*".

On page 2, section 3, line 18, beginning with "*and*" strike all of the material down to but not including the period on line 21 and on line 22 after "*such*" strike "*combination of*" and after "*term*" strike "*and full term*".

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Grant, the committee amendments were adopted.

On motion of Senator Grant, Engrossed Senate Bill No. 2377 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2377, and the bill passed the Senate by the following vote: Yeas, 39; absent or not voting, 9; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Dore, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell),

Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—39.

Absent or not voting: Senators Bottiger, Connor, Day, Durkan, Fleming, Francis, Gardner, Scott, Woody—9.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 2377, having received the 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 Senator Mardesich, Senate Bill No. 2659 was ordered placed at the beginning of the second reading calendar for this evening.

#### MOTION

At 5:35 p.m., on motion of Senator Bailey, the Senate recessed until 8:00 p.m.

#### EVENING SESSION

President Pro Tempore Henry called the Senate to order at 8:00 p.m.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Bailey, Bottiger, Durkan, Fleming, Keefe, Metcalf, Odegaard, Rasmussen, Talley, Twigg and Woodall.

On motion of Senator Sellar, Senators Woodall and Twigg were excused. On motion of Senator Walgren, Senator Durkan was excused. There being no objection, Senator Bailey was excused. Senator Talley had been excused previously today.

#### SECOND READING

SENATE BILL NO. 2501, by Senators Woody, Peterson (Lowell) and Twigg:  
Allowing recreational use of utility rights of way over state lands.

#### REPORT OF STANDING COMMITTEE

February 15, 1973.

SENATE BILL NO. 2501, allowing recreational use of utility rights of way over state lands (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 3, after "may" strike the remainder of the paragraph and insert "*at the discretion of the department of natural resources, (where not inconsistent with the use of the grant holder, other lessees or the department) be opened to access by groups or individuals desiring to use the right of way for nonmotorized recreational purposes: PROVIDED, That access shall be made available subject to such rules and regulations as shall be adopted by the department of natural resources.*"

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Talley.

The bill was read the second time by sections.

Senator Woody moved adoption of the committee amendment.

On motion of Senator Woody, the following amendment was adopted:

Amend the committee amendment to page 2, section 1, line 3, as follows:

After "resources" on the last line of the amendment and before the period insert "*: PROVIDED, HOWEVER, That the state of Washington shall not be liable to users of any access provided herein*".

Senator Woody moved adoption of the following amendment by Senators Woody and Rasmussen to the committee amendment:



On line 10 of the committee amendment, as previously amended by Senator Woody, after "resources" and before the colon insert "*and shall not be available in watershed areas which are set aside by a state or municipal corporation for the purpose of supplying potable fresh water*".

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Woody yield? Senator Woody, I apologize for being late. Does the purpose of your amendment preclude the building of access roads for fire prevention in watershed areas?"

Senator Woody: "No, the purpose of this bill is to open up use of access areas. Accesses that are owned by the state of Washington, for non-motorized hikers, horseback riders, etc., if the Department of Natural Resources permits it. By the amendment the Department of Natural Resources could not open up any access routes in watershed areas to hikers or horseback riders."

#### MOTION

On motion of Senator Lewis (Harry), Senate Bill No. 2501, with the committee amendment, as amended, and the pending amendment to the committee amendment by Senators Woody and Rasmussen, was ordered placed on the second reading calendar for Friday, March 30, 1973.

#### SECOND READING

SENATE BILL NO. 2659, by Senators Atwood, Woody and Lewis (Harry):

Providing certain disability benefits for state patrol officers.

The bill was read the second time by sections.

Senator Atwood moved adoption of the following amendment by Senator Woodall:

On page 1, line 7, after "who" strike "[, while in the performance of their official duties]" and insert "*, while in the performance of their official duties, or while on standby or available for duty,*".

#### POINT OF INQUIRY

Senator Lewis (Bob): "Will Senator Atwood yield please? Just as a matter of clarification, the terminology 'available for duty'. Does that mean seven days a week, twenty-four hours a day?"

Senator Atwood: "No, it does not. Lot of them, when they are on vacation or things like that, they are not available for duty. Senator Woodall, in his amendment, felt it was too broad because an officer who was skiing and broke a leg would be able to get benefits under this the way it was originally drawn."

The motion by Senator Atwood carried and the amendment by Senator Woodall was adopted.

On motion of Senator Atwood, Engrossed Senate Bill No. 2659 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2659, and the bill passed the Senate by the following vote: Yeas, 37; nays, 3; absent or not voting, 4; excused, 5.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—37.

Voting nay: Senators Mardesich, Ridder, Whetzel—3.

Absent or not voting: Senators Fleming, Keefe, Metcalf, Odegaard—4.

Excused: Senators Bailey, Durkan, Talley, Twigg, Woodall—5.

ENGROSSED SENATE BILL NO. 2659, having received the 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. 2491, by Senators Durkan, Matson, Gardner, Bottiger, Whetzel, Mardesich, Fleming, Walgren, Scott, Twigg and Washington (by Executive request):

Authorizing the department of social and health services to make payment of state funds to counties for special adult supervision programs.

#### REPORT OF STANDING COMMITTEE

February 13, 1973.

SENATE BILL NO. 2491, authorizing the department of social and health services to make payment of state funds to counties for special adult supervision programs (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 21, after "courts as" and before "adults" insert "nondangerous".

On page 2, section 3, subsection (b), line 21, after "attorney" and before ", the" strike "or defendant".

On page 7, section 7, line 19, after "county" and before "may" insert ", either itself or acting jointly with another county or city,"

On page 7, section 7, line 23, after "county" and before "must" insert ", or combination of counties or county and city,"

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Jones, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment to page 1, section 2, line 21 was adopted.

Senator Day moved adoption of the committee amendment to page 2, section 3, subsection (b), line 21.

Debate ensued.

The motion by Senator Day failed and the committee amendment to page 2, section 3, subsection (b), line 21, was not adopted.

On motion of Senator Day, the committee amendments to page 7 were adopted.

On motion of Senator Day, Engrossed Senate Bill No. 2491 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2491, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 3; excused, 5.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—41.

Absent or not voting: Senators Dore, Fleming, Metcalf—3.

Excused: Senators Bailey, Durkan, Talley, Twigg, Woodall—5.

ENGROSSED SENATE BILL NO. 2491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2741, by Senators Guess, Washington and Henry:

Relating to the regulation of vehicle dealers, manufacturers and salesmen.

MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 2741 was substituted for Senate Bill No. 2741 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 2741 was ordered placed on the second reading calendar following consideration of Substitute House Bill No. 351.

SECOND READING

ENGROSSED HOUSE BILL NO. 204, by Representatives Adams, Zimmerman, Perry, Parker and Kelley:

Requiring disclosure of certain financial interests by medical practitioners.

REPORT OF STANDING COMMITTEE

March 21, 1973.

ENGROSSED HOUSE BILL NO. 204, requiring disclosure of certain financial interests by medical practitioners (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 22, after "*furnishes*" strike all the material down to and including "*treatment*" on line 25 and insert "*any kind of clinical laboratory or other services prescribed for medical, surgical, or dental diagnosis*".

On page 2, beginning on line 2, after "*association*" strike the colon and all the material down to and including "*herein*" on line 4.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Murray, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, Engrossed House Bill No. 204, as amended by the Senate, was ordered placed at the beginning of the second reading calendar for Friday, March 30, 1973.

SECOND READING

SENATE BILL NO. 2583, by Senators Matson and Peterson (Lowell):  
Revising motor vehicle overweight fee schedules.

MOTIONS

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 2583 was substituted for Senate Bill No. 2583 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 2583 was ordered to hold its place on the second reading calendar for Friday, March 30, 1973.

MOTION

On motion of Senator Lewis (Harry), Substitute House Bill No. 351 was ordered to hold its place on the second reading calendar for Friday, March 30, 1973.

SECOND READING

SUBSTITUTE SENATE BILL NO. 2741, by Senators Guess, Washington and Henry:  
Relating to the regulation of vehicle dealers, manufacturers and salesmen.

## MOTION

Senator Peterson (Lowell) moved that Substitute Senate Bill No. 2741 be held for consideration on Monday, April 2, 1973.

Debate ensued.

## MOTION

At 8:45 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, March 30, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SECOND DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, March 30, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Atwood, Dore, Scott and Talley. On motion of Senator Matson, Senator Atwood was excused. On motion of Senator Lewis (Harry), Senator Scott was excused. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Ryan Hudson and Karyn Rafn, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

"OUR FATHER GOD, TRULY IT IS GOOD TO SEE SPRING BURSTING OUT ALL OVER. THE FLOWERS IN BLOOM, THE BIRDS ARE BACK, THE BOYS FLYING KITES. THANK YOU, GOD, FOR THE BEAUTY OF THE EARTH. GRANT US A HEART WIDE OPEN TO ALL THIS JOY AND BEAUTY, AND SAVE US FROM SOULS SO STEEPED IN CARE AND ANXIETY THAT WE PASS HEEDLESS AND UNSEEING EVEN THROUGH EARTH'S CRAMMED WITH HEAVEN AND EVERY COMMON BUSH AFLAME WITH YOUR GLORY.

"WE ARE ESPECIALLY THANKFUL FOR OUR POW'S RENDEZVOUS WITH LIFE WHEN SPRING TRIPPED NORTH AGAIN THIS YEAR. WE GIVE THANKS THAT AT LONG LAST IT IS OVER OVER THERE IN VIETNAM FOR ALL OF OUR AMERICAN FIGHTING MEN.

"NOW WE PRAY THAT THE CREATIVITY OF THIS SPRING OF 1973 BECOMES MANIFEST ALSO IN THE QUICK PASSAGE OF ALL GOOD AND NEEDFUL LEGISLATION THROUGH THE POWER OF THE HOLY SPIRIT, THE LORD AND GIVER OF LIFE. AMEN."

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

COMMUNICATION FROM FORMER SENATOR JOHN STENDER

U.S. Department of Labor, Washington, D.C., March 27, 1973.

THE SENATE  
STATE OF WASHINGTON  
OLYMPIA, WASHINGTON

GENTLEMEN:

My resignation and sudden departure from the Senate left me with considerable feelings of regret. The regret was not over the fact that I was leaving but rather over the fact that I was leaving a very fine group of men with whom I had the privilege to work and serve our state.

It would have been great if I had had time to see each of you personally and thank you for the touching resolution passed and presented to me on Monday the 19th of March.

During my tenure in the Senate I have enjoyed and appreciated the many kindnesses extended to me by the members and the President. The Secretary and his most able staff did so much to make a hard job much more pleasant. The sergeant at arms and his very able assistants always were so very cooperative and helpful to say the least. To our gracious and hardworking hostesses I can say that your work is indeed very important and was always appreciated very much.

As I go about my new duties I will meet many new people some of whom probably will hold very responsible positions in industry and government. Even so, I shall always hold a fond remembrance of my ten plus years as a member of the Washington State Senate.

Sincerely,

(Signed) JOHN H. STENDER  
Assistant Secretary of Labor (Designate).

REPORTS OF STANDING COMMITTEES

March 30, 1973.

SENATE BILL NO. 2211, allowing prosecutor of King county to contract with the attorney general to initiate support proceedings (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2447, relating to lotteries and defining "valuable consideration" (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2447 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE BILL NO. 2614, specifying a rate classification for inheritance taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Gardner, Grant, Metcalf, Newschwander, Ridder, Scott.

Passed to Committee on Rules for second reading.

March 28, 1973.

SENATE BILL NO. 2736, relating to the theft and illegal use of cable communication services (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2736 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Clarke, Greive, Twigg, Van Hollebeke.

Passed to Committee on Rules for second reading.

March 27, 1973.

SENATE BILL NO. 2749, relating to transportation (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2749 be substituted therefor and the substitute bill do pass.

Signed by: Senators Henry, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Matson, Mattingly, Peterson (Lowell), Rasmussen, Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 178, making certain changes in the laws regulating labor relations in health care activities (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 422, changing the name of the division of safety, department of labor and industries to the division of industrial health and safety (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 458, amending the partial benefit formula for unemployment compensation (reported by Committee on Labor):

Recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Matson, Mattingly, Ridder.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 481, providing for the disposition of water district property to a public utility district (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Knoblauch, Matson, Mattingly, Peterson (Lowell), Sellar, Wanamaker.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

March 29, 1973.

Mr. President: The House has passed SUBSTITUTE HOUSE BILL NO. 306, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 29, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2525, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2914, by Senators Murray and Washington:

An Act relating to the shorelines hearings board; amending section 18, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.180; and adding a new section to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW.

Referred to Committee on Ecology.

SENATE BILL NO. 2915, by Senators Fleming, Ridder and Gardner:

An Act relating to education; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 131, Laws of 1969 and RCW 28A.57.312; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 67, Laws of 1971 and RCW 28A.57.342; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 67, Laws of 1971 and RCW 28A.57.344; amending section 6, chapter 67, Laws of 1971 and RCW 28A.57.358; amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425; amending section 10, chapter 131, Laws of 1969 and RCW 28A.57.435; amending section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as amended by section 2, chapter 131, Laws of 1969 and RCW 29.21.210; amending section 29.21.230, chapter 9, Laws of 1965 as amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230; amending section 5, chapter 67, Laws of 1971 as amended by section 1, chapter 19, Laws of 1973 and RCW 28A.57.357; and creating a new section.

Referred to Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 128, by Senators Gardner and Sandison:

Authorizing study on child care and its relationship to institutions of higher education.  
Referred to Committee on Higher Education.

SUBSTITUTE HOUSE BILL NO. 306, by Committee on Ecology (originally sponsored by Representatives Thompson, Julin, Luders and Zimmerman (by Executive request):

Providing for environmental coordination procedures.

Referred to Committee on Ecology.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2525.

MOTION

At 9:55 a.m., on motion of Senator Bailey, the Senate recessed until 12:25 p.m.

SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 12:25 p.m.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 1973.

Mr. President: The House refuses to recede from its amendment to ENGROSSED

SENATE BILL NO. 2278, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees: Representatives Beck, Perry and Newhouse.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Walgren, the request of the House for a conference on Engrossed Senate Bill No. 2278 and the House amendment thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2278 and the House amendment thereto: Senators Walgren, Marsh and Lewis (Harry).

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

March 29, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2071, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill, are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### REPORT OF FREE CONFERENCE COMMITTEE

March 26, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 2071, establishing an additional justice of the peace in specified districts, have had the same under consideration, and we recommend the Senate concur in the House amendments to line 1 of the title; page 1, immediately following the enacting clause insert a new section; page 2, section 1, line 1; page 2, section 1, line 11; page 2, section 1, line 13; on page 2, section 2, line 27.

We also recommend that the bill be further amended as follows:

On page 2, section 2, line 1, after "county:" insert the following:

*"PROVIDED, That in a justice court district having a population of one hundred twenty thousand people or more adjoining a metropolitan county of another state which has a population in excess of five hundred thousand there shall be one full time justice in addition to the number otherwise allowed by this section and without regard to RCW 3.34.030 or resolution of the county commissioners:"*

On line 11 of the Judiciary Committee amendment to section 1, after "Lewis," strike "one" and insert "[one] two".

Signed by: Senators Marsh, Grant and Twigg; Representatives Bauer, Smythe and Knowles.

#### MOTIONS

On motion of Senator Scott, Senator Mattingly was excused.

On motion of Senator Marsh, the report of the Free Conference Committee on Engrossed Senate Bill No. 2071 was adopted.



ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2071, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 1; excused, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-41.

Voting nay: Senators Fleming, Grant, Greive, Ridder-4.

Absent or not voting: Senator Jones-1.

Excused: Senators Atwood, Mattingly, Talley-3.

ENGROSSED SENATE BILL NO. 2071, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 29, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 782, on page 2, section 1, line 3 and refuses to concur in the Senate amendment on page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill, after "value" and before the period insert "; (g) amounts paid in connection with a trading stamp promotion subject to the provisions of chapter 19.84 RCW by a person issuing trading stamps in connection with the retail sale of merchandise or services" and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendment to page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill to Engrossed House Bill No. 782, and insists on its position and once again requests the House to concur therein.

MOTION

On motion of Senator Whetzel, the following resolution was adopted:

SENATE RESOLUTION 1973-52

By Senators Whetzel, Fleming and Scott:

WHEREAS, The Roosevelt High School (Roughriders) Basketball Team won the state-wide Class AAA Championship in Seattle on March 24, 1973; and

WHEREAS, The championship is universally recognized as a high mark of excellence in high school athletics; and

WHEREAS, The greatest stamina, skill, training, and discipline is required in winning such a championship; and

WHEREAS, This competition provided great excitement over a period of many weeks and contributed to the spirit and enthusiasm of all students in the high schools in the AAA League;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate congratulate the coach, Ben Snowden and the players of the 1973 Roosevelt High School Basketball Team for this significant sporting accomplishment.

BE IT FURTHER RESOLVED, That suitably inscribed copies of this resolution be transmitted by the Secretary of the Senate to each member of the 1973 Roosevelt High School Roughriders and Coach Ben Snowden.

#### MOTION

At 12:30 p.m., on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2085, by Committee on Transportation and Utilities (originally sponsored by Senators Washington, Guess and Henry):

Bringing Washington traffic laws into conformity with those of other states.

The Senate resumed consideration of Substitute Senate Bill No. 2085, as amended on Thursday, March 29, 1973.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, on motion of Senator Whetzel, the Senate moved to reconsider the vote by which the following amendment by Senators Washington and Walgren was adopted:

On page 9, section 15, lines 8 and 17, after "vehicle" and before "which" insert "*or other property*".

The motion for reconsideration carried.

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#### MOTION

On motion of Senator Washington, on reconsideration the amendment by Senators Washington and Walgren was not adopted.

On motion of Senator Whetzel, the following amendment was adopted:

On page 9, section 15, line 15, after "(3)" strike "The" and insert "*Unless otherwise provided in subsection (6) of this section the*".

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#### POINT OF INQUIRY

Senator Francis: "Will Senator Washington yield to a question? Senator Washington, I have been doing some checking on section 50 which reads, 'No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway'. Now my concern was whether or not that included a vehicle because as you know, in the city of Seattle and some other areas, you are allowed to ride a bicycle on the sidewalk. There is often no pedestrian traffic and it is the safest place for all concerned. I also note in another bill which we have on the calendar that a bicycle would fall under the definition of vehicle, apparently, in that bill. That is Substitute Senate Bill No. 2741, where it says that the RCW be amended to include all vehicles rather than just motor vehicles under the scope of chapter 46.70. In view of all that I am concerned. Can section 50 apply to bicycles or does it clearly apply only to motor vehicles?"

Senator Washington: "Senator Francis, RCW 47.04.100, subsection 42, clearly states, and this involves the definition of vehicles, 'every device capable of being moved upon a public highway and in and upon or by which any person or property is or may be transported or drawn upon a public highway excepting,' and this is the important part, 'excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks'."

Senator Francis: "You are satisfied then, Senator Washington, that section 50 does not apply in such a way that it might exclude the use of bicycles on sidewalks?"

Senator Washington: "Definitely not."

POINT OF INQUIRY

Senator Canfield: "Will Senator Washington yield? Senator Washington, in section 15, line 33, page 8, it says, 'The driver of any vehicle involved in an accident resulting in the injury or death of any person shall immediately stop such vehicle,' and then forthwith do something else. Supposing that driver is the one that is killed. What happens to him?"

Senator Washington: "Obviously then he has no responsibility."

Senator Metcalf moved adoption of the following amendment:

On page 23 add a new section following section 35 as follows:

"NEW SECTION. Sec. 36. There is added to chapter 12, Laws of 1961 and chapter 46.61 RCW a new section to read as follows:

"Public service signs" means signs located on school bus stop shelters, which signs:

- (1) Identify the donor, sponsor, or contributor of said shelters;
- (2) Contain safety slogans or messages, which shall occupy not less than sixty percent of the area of the sign;
- (3) Contain no other message;
- (4) Are located on school bus shelters which are authorized or approved by city, county, or state law, regulation, or ordinance, and at places approved by the city, county, or state agency controlling the highway involved; and
- (5) May not exceed thirty-two square feet in area. Not more than one sign on each shelter may face in any one direction."

Renumber remaining sections consecutively.

POINT OF ORDER

Senator Washington: "I am raising a point of order as to the scope and object. I really think that we are enlarging this too broadly in this particular area and I would be very glad to assist you in trying to put it someplace else."

RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The President, in ruling upon the point of order, does believe that this particular amendment goes a little far afield from the rules of the road and therefore enlarges the scope and object, and is not in order."

REMARKS BY SENATOR WASHINGTON

Senator Washington: "Just for the record, I think this is one area that Senator Walgren indicated that if nothing is done during this session a study could be done on this particular idea."

The amendment by Senator Metcalf was ruled out of order.

MOTIONS

On motion of Senator Twigg, Senator Peterson (Ted) was excused.

On motion of Senator Washington, Engrossed Substitute Senate Bill No. 2085 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2085, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senator Herr—1.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2085, having received the 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

Senator Lewis (Harry) moved that Substitute Senate Bill No. 2454 be held for the second reading calendar on Monday, April 2, 1973.

Debate ensued.

On motion of Senator Sandison, there being no further objection, Senate Bill No. 2454 was ordered to hold its place on the second reading calendar for Saturday, March 31, 1973.

#### SECOND READING

SENATE BILL NO. 2319, by Senators Francis, Clarke, Day and Peterson (Ted) (by Executive request):

Providing for the care and treatment of the criminally insane.

#### REPORT OF STANDING COMMITTEE

March 19, 1973.

SENATE BILL NO. 2319, providing for the care and treatment of the criminally insane (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 6, line 22 after "he" strike ", as a result of mental disease or defect,"

On page 5, section 6, line 23, after "lacked" strike "substantial".

On page 6, section 8, line 7, after "charged" strike "suffered from a mental disease or defect which substantially impaired his" and insert "did not have".

On page 7, section 9, line 23, after "dismissed" and before the comma insert "without prejudice".

On page 9, section 10, line 1, after "defendant" strike "as a result of mental disease or defect".

On page 9, section 10, line 2, after "lacked" and before "capacity" strike "substantial".

On page 11, line 8, strike all of new section 15 and renumber consecutively.

On page 18, section 29, line 25, strike "28" and insert "27".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendments were adopted.

On motion of Senator Francis, Engrossed Senate Bill No. 2319 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2319, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 2; excused, 4.

Voting yea: Senators Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Absent or not voting: Senators Bailey, Connor—2.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

ENGROSSED SENATE BILL NO. 2319, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 2501, by Senators Woody, Peterson (Lowell) and Twigg:

Allowing recreational use of utility rights of way over state lands.

The Senate resumed consideration of Senate Bill No. 2501, as amended on Thursday, March 29, 1973.

The committee amendment, as amended, and the following amendment by Senators Woody and Rasmussen to the committee amendment was moved for adoption by Senator Woody on March 29, 1973:

On line 10 of the committee amendment, as previously amended by Senator Woody, after "resources" and before the colon insert "*and shall not be available in watershed areas which are set aside by a state or municipal corporation for the purpose of supplying potable fresh water*".

The motion by Senator Woody carried and the amendment to the committee amendment was adopted.

The motion by Senator Woody carried and the committee amendment, as amended, was adopted.

On motion of Senator Woody, Engrossed Senate Bill No. 2501 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

### MOTION

On motion of Senator Scott, Senator Whetzel was excused.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2501, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley, Whetzel—5.

ENGROSSED SENATE BILL NO. 2501, having received the 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 Senator Francis, Senator Ridder was excused.

## SECOND READING

ENGROSSED HOUSE BILL NO. 204, by Representatives Adams, Zimmerman, Perry, Parker and Kelley:

Requiring disclosure of certain financial interests by medical practitioners.

The Senate resumed consideration of Engrossed House Bill No. 204, as amended by the Senate on Thursday, March 29, 1973.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 4, section 1, line 4, strike the period and insert:

“: PROVIDED FURTHER, That the net profit accruing to any individual or association from the ownership of any firm, corporation, or association covered by this act remaining at the end of each taxable year shall be donated to the Northwest Kidney Center.”

## POINT OF ORDER

Senator Day: “He ought to speak to the amendment. He can speak to the bill on final passage.”

There being no objection, the amendment by Senator Lewis (Harry) was withdrawn.

On motion of Senator Day, Engrossed House Bill No. 204, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Dore: “Will Senator Day yield to a question, please? I think you said that the amendment tied this down to the bare bones of the clinical matters. Is that correct?”

Senator Day: “That is correct.”

Senator Dore: “But I notice the term . . .”

Senator Day: “If you will read the second amendment you will note that part of the bill includes pharmacy as something that is not allowed. Also drugs, medication or medical supplies are added as not allowed. The amendment struck out surgical or dental care, diagnosis, treatment or services, the supplying of clinical laboratory services of any kind or other services prescribed for medical diagnosis, care or treatment, and locked it right down to any kind of clinical laboratory or other services prescribed for medical, surgical or dental diagnosis.”

Senator Dore: “Let me ask you a question. I have the new amendment here. It says, ‘Any kind of clinical laboratory or other services prescribed for medical, surgical or dental diagnosis.’ It looks like diagnosis is the key. Now, many times you do not get that from the results in the laboratory. You get it from the consultation of another doctor. My question to you is, if I am a general practitioner and refer a patient, for the purpose of getting a diagnosis, to another doctor, am I entitled to a referral fee from that doctor?”

Senator Day: “Not under this.”

Senator Dore: “Why not? It says, ‘Or other services to secure a diagnosis.’”

Senator Day: “Because it only has to do with the laboratory.”

Senator Dore: “Where does it say that? This is the last amendment. I am trying to say your statement as to the prohibition is not necessarily true under my interpretation.”

Senator Day: “Yes it is, because you are not reading the preceding language which very clearly says, ‘Provided that ownership, ownership of a financial interest in any firm, corporation or association which furnishes any kind of clinical laboratory,’ etc., not another physician that furnishes that. Clearly a physician would be precluded from a kickback.”

Senator Dore: “Let us put it this way. Right now I am going to a doctor and he operates in a clinic. I will not name it but there are fourteen doctors in there. They have a corporation. And if I sent him to a doctor who is a member of that corporation under this language, as a lawyer I would say that I could get a referral fee from the other doctor.”

Senator Day: “But the problem is, Senator, under the present law, within a clinic arrangement they can use a common X-ray facility or a common laboratory facility and

what you are talking about is participating in the benefits of that facility and they certainly can do it right now."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 204, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 13; nays, 31; absent or not voting, 1; excused, 4.

Voting yea: Senators Canfield, Francis, Henry, Jolly, Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Scott, Twigg, Woodall—13.

Voting nay: Senators Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Metcalf, Newschwander, Rasmussen, Ridder, Sandison, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—31.

Absent or not voting: Senator Herr—1.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

ENGROSSED HOUSE BILL NO. 204, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Day gave notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 204, as amended by the Senate, failed to pass the Senate.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Lewis (Harry) moved that the Senate do immediately reconsider the vote by which Engrossed House Bill No. 204, as amended by the Senate, failed to pass the Senate.

Senator Mardesich demanded a roll call on the motion for reconsideration by Senator Lewis (Harry) and the demand was sustained by Senators Woodall, Guess, Ridder, Bailey, Scott, Peterson (Lowell), Connor, Bottiger and Fleming.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Lewis (Harry) failed by the following vote: Yeas, 8; nays, 37; excused, 4.

Voting yea: Senators Bottiger, Clarke, Jones, Lewis (Harry), Metcalf, Newschwander, Sellar, Whetzel—8.

Voting nay: Senators Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—37.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

President Pro Tempore Henry declared the notice of reconsideration by Senator Day prevails and the motion for reconsideration will be before the Senate on the next working day.

#### POINT OF ORDER

Senator Greive: "I respectfully call your attention to Reed's Rule No. 204 which says a bill cannot be reconsidered more than once and having failed to be reconsidered, it is dead."

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Your point is not well taken, Senator Greive."

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (originally sponsored by Senators Matson and Peterson (Lowell):

Revising motor vehicle over-weight fee schedules.

The substitute bill was read the second time in full on Thursday, March 29, 1973 and held for Friday, April 30, 1973.

On motion of Senator Guess, the following amendments were adopted:

On page 2, section 1, line 10, after "movement" insert "*PROVIDED FURTHER, That in no event shall a permit be issued for a load in excess of six hundred thousand pounds*".

On page 2, following line 27, insert:

"Identification plate to facilitate purchase of moving permits  
per year . . . . . \$15.00".

On motion of Senator Peterson (Lowell), the following amendment was adopted:

On page 4, section 3, line 11, after "Sec. 3." strike all the material down to and including the period on line 12 and insert:

"This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1973."

On motion of Senator Peterson (Lowell), the following amendment to the title was adopted:

On page 1, line 7 of the title, before "and" insert "declaring an emergency".

On motion of Senator Peterson (Lowell), Engrossed Substitute Senate Bill No. 2583 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Guess yield to a question? Senator Guess, this authorizes combinations of vehicles to be eighty-five feet in length?"

Senator Guess: "Yes, sir."

Senator Rasmussen: "Fourteen feet in width, fourteen feet high. Now I presume that that is mobile homes?"

Senator Guess: "No, sir, there are many pieces of the dam that we are having trouble in transporting to build the third powerhouse of Grand Coulee and primarily this was for that."

Senator Rasmussen: "I presume this will be repealed after one year?"

Senator Guess: "The dam will not be finished until sometime in 1978."

Senator Rasmussen: "But this does not say just the dam."

Senator Guess: "This is only a period of one year. That fee will enable them to buy a permit for that piece of equipment for a twelve-month period. This has nothing to do with a cut-off date of one year."

Senator Rasmussen: "Under this authorization, will they be hauling mobile homes fourteen feet wide?"

Senator Guess: "Senator, they can haul any load that meets the specifications."

Senator Rasmussen: "Will this also provide for what they call the truck-trailer trains, where they may haul two trailers behind a loaded truck that they are already doing in some states?"

Senator Guess: "I have not been into that so I cannot answer, but they are hauling fourteen feet wide trailers on the state highways under special permits."

Senator Rasmussen: "I guess I am not making myself clear, Senator. Are they going to authorize eighty-five foot combination of vehicles plus fourteen feet in width?"

Senator Guess: "Senator, the language is that it is continuous operation of a combination of vehicles not to exceed eighty-five feet in length, fourteen feet in width and fourteen feet in height, and the permit for a year is one hundred and fifty dollars."



## REMARKS BY SENATOR LOWELL PETERSON

Senator Peterson (Lowell): "Mr. President, I can understand Senator Rasmussen's concern and I think perhaps it should be noted in the Journal that I do not believe it was the legislative intent to provide what you call add-on trailers or piggyback units. I do not think we were trying to change that part of the statute. Perhaps the language is not clear, but I do not believe the intent was there to permit what you are referring to."

## REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "The only thing that has been offered in that field, Senator Rasmussen, is the study that was made on the truck and two-trailer combination, the triple rig, and they have not been authorized on the state highways and it is not the intent of this legislation that they be authorized. I think the legislative intent is clear."

## MOTION

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2583 was ordered held on the third reading calendar for Saturday, March 31, 1973.

## MOTION

On motion of Senator Durkan, Senate Bill No. 2833 was ordered to hold its place on the second reading calendar for Saturday, March 31, 1973.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 351, by Committee on Social and Health Services (originally sponsored by Representatives Lysen, Pardini, Ellis, Goltz, Eng and Van Dyk):  
Increasing and reconstituting the membership of the state pharmacy board.

## REPORT OF STANDING COMMITTEE

March 26, 1973.

SUBSTITUTE HOUSE BILL NO. 351, increasing and reconstituting the membership of the state pharmacy board (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 21, after "*PROVIDED, That*" strike all of the material down to and including "*pharmacists*" on line 24 and insert "*subject to the availability of qualified candidates the governor shall appoint pharmacist members representative of the areas of practice and geographically representative of the state of Washington*".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

On motion of Senator Day, Substitute House Bill No. 351, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Newschwander: "Mr. President, will Senator Day yield to a question? It seems that in past sessions we have had this same bill asking for a lay member when they had a three-member board and for some reason or other it did not fly too far. In the original bill they asked for two lay members and increased the members to five, and that was not so sharp so you got a substitute House bill here now that changed back to one, three and a pharmacist that does not own a store. My inquiry is, who really has asked for this lay

member to be a part of the board? Has it been the pharmacists or the druggists of the state, or is it labor, or is it politicians, or is it the buying public?"

Senator Day: "I think it is labor and some other consumer groups who feel that the lay member should be involved relative to some decisions which have to do with the actual consumer's position. Now as I pointed out, there are four pharmacists still on this board. The lay member will have nothing to do with the technical aspects of examination giving. The lay member will only have to do with those other seven of the nine subsections which are enumerated in section 2. In other words, inspection of pharmacies, investigation of violations of the provisions and regulations, and these types of things. Also to regulate the distribution of drugs, nostrums, and to assist the regularly constituted enforcement agencies and so forth. Now that is what the lay person will be involved in. I would say this, that when a lay person is involved in that type of action, he should be someone with some expertise. However, I believe there is quite a bit of latitude for the Governor's appointment."

Senator Newschwander: "Would you state that the old board of three members of pharmacists was a failure?"

Senator Day: "I did not say they were a failure. I say this merely expands the base of it."

Senator Newschwander: "Really, why change it then? From three to five?"

Senator Day: "I think the concern here is the cost of drugs and the cost of health care, and I feel that this is similar to the hospital rate review commission. Actually, it is not going all the way and allowing them to actually set hospital rates. What it does is allow them to review, and what this will do is to re-establish some confidence that has been lost by the public in all of health care costs, including dentistry, chiropractic, and everything else. Everything is costing more nowadays and I think the idea of this is, is to get a consumer's voice on there who will engender some confidence in the public as far as the actions of this board and possibly some of these other commissions."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 351, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 9; absent or not voting, 3; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—33.

Voting nay: Senators Guess, Lewis (Harry), Lewis (Bob), Matson, Newschwander, Twigg, Wanamaker, Whetzel, Woodall—9.

Absent or not voting: Senators Donohue, Mardesich, Sellar—3.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

SUBSTITUTE HOUSE BILL NO. 351, 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.

SUBSTITUTE SENATE BILL NO. 2741, by Committee on Transportation and Utilities (originally sponsored by Senators Guess, Washington and Henry):

Relating to the regulation of vehicle dealers.

The substitute bill was read the second time in full on Thursday, March 29, 1973 and held for Friday, March 30, 1973.

On motion of Senator Walgren, Substitute Senate Bill No. 2741 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Guess yield to a question? On page 3, line 24, in the definition of a motor vehicle dealer it says, 'Shall be a vehicle dealer that deals in new and

used motor vehicles.' Does this mean if I am to be a motor vehicle dealer I must deal in both new and used?"

Senator Guess: "Not necessarily, Senator Ridder. In talking with Mr. Nelson it was the legislative intent and the department's intent, that if a firm handled only used cars they would be covered by this section and if they did not and they sold only new cars, then they would be covered by it. It is an and/or situation."

Senator Ridder: "Fine, thank you."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Guess yield? Senator Guess, I have been told that there is a provision in this bill that will allow dealers who sell a car on a Friday night, when you cannot get current plates, to issue a paper permit like they have in Oregon and California, provided that this permit would be for about seventy-two hours in duration?"

Senator Guess: "Yes, sir, the dealer will buy these in lots of ten. He will be able to use them for his patrons and this will stop this business of the temporary plate getting out of his control. As soon as the permanent plate can be obtained on the next working day, then that paper plate is obsolete."

Senator Woody: "And is that paper plate good in Oregon or any other state?"

Senator Guess: "For transit, it is supposed to be good for transit through the state and they will recognize it as they recognize the rest of the reciprocal arrangements between the two states."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2741, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 3; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odgaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Voting nay: Senator Day—1.

Absent or not voting: Senators Fleming, Mardesich, Rasmussen—3.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

SUBSTITUTE SENATE BILL NO. 2741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2112, by Senators Canfield, Keefe, Sandison and Woodall (by Joint Committee on Higher Education request):

Implementing state patrol retirement act.

#### REPORT OF STANDING COMMITTEE

March 16, 1973.

SENATE BILL NO. 2112, implementing state patrol retirement act (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Higher Education and by Committee on Ways and Means.

Strike the amendments by the Committee on Higher Education to page 1, section 1, line 22 and to page 1, section 1, line 25.

On page 1, section 1, line 25, after "age" strike all the matter down to and including "Washington" on page 2, line 1.

On page 2, line 6, after "(4)" insert:

*"If a member should lose or has lost his life in the line of duty while employed by the Washington State Patrol, his surviving children under the age of twenty years and eleven months if attending any high school, college, university, or vocational or other educational institution accredited or approved by the State of Washington shall hereafter be entitled to a benefit equal to five percent of the final average salary of the member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member.*

(5)"

On page 2, add a new section following section 1 as follows:

*"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: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegard, Vice Chairman; Atwood, Bailey, Canfield, Gardner, Grant, Marsh, Peterson (Ted).

#### REPORT OF STANDING COMMITTEE

February 16, 1973.

SENATE BILL NO. 2112, implementing state patrol retirement act (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "die," and before "either" insert *"after January 1, 1972"*.

On page 1, section 1, line 25, after "age" strike all the material down to and including *"Washington"* on page 2, line 1, and insert *"or unmarried child under the age of twenty years and eleven months who attends or is attending any high school, college, university, or vocational or other educational institution located in the state of Washington"*.

On page 2, section 1, line 3, after "retired member" and before the period insert *"; provided that if a beneficiary under this section shall reach the age of 21 years during the middle of a term of enrollment the benefit shall continue until the end of said term."*

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

On motion of Senator Mardesich on February 16, 1973, Senate Bill No. 2112 was referred to the Committee on Ways and Means.

The bill was read the second time by sections.

On motion of Senator Canfield, the committee amendments by the Committee on Ways and Means to page 1, striking the committee amendments by the Committee on Higher Education were adopted.

On motion of Senator Canfield, the committee amendment by the Committee on Ways and Means to page 2, line 6 was adopted.

On motion of Senator Canfield, the committee amendment by the Committee on Ways and Means to page 2, adding new section 2 was adopted.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Sandison yield? Senator, I thought that this amendment by your committee was superseded by the amendment on page 2 which covers the same material and if you will notice the amendments on page 1 struck the Higher Education Committee amendment and substituted an amendment which you will find on page 2. It covers the same material."

Senator Sandison: "I may be mistaken, but it was my understanding that the two Higher Education amendments were stricken by the Ways and Means Committee, but this amendment was not stricken. This still survived."

On motion of Senator Sandison, the committee amendment by the Committee on Higher Education to page 2, section 1, line 3 was adopted.

On motion of Senator Canfield, the committee amendment by the Committee on Ways and Means to the title was adopted.

On motion of Senator Canfield, Engrossed Senate Bill No. 2112 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2112, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 5; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Dore, Durkan, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Absent or not voting: Senators Connor, Day, Donohue, Fleming, Greive—5.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

ENGROSSED SENATE BILL NO. 2112, having received the 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. 2061, by Senators Gardner, Bottiger and Woodall (by Legislative Council request):

Providing for custody and/or visitation rights for persons other than natural parents in certain cases.

The bill was read the second time by sections.

On motion of Senator Woodall, Senate Bill No. 2061 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2061, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senator Greive—1.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

SENATE BILL NO. 2061, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Walgren: "With regard to the last bill, I think I should point out to those members who served on the Municipal Committee that inadvertently it appears that this bill came in as a Municipal Committee request bill. Such was not the case. We did not have this bill before the Municipal Committee, during the interim and it is not a Municipal Committee request bill."

SECOND READING

SENATE BILL NO. 2249, by Senators Peterson (Lowell), Wanamaker and Herr (by Municipal Committee request):

Making the office of sheriff nonpartisan.

## MOTION

On motion of Senator Peterson (Lowell), Senate Bill No. 2249 was re-referred to the Committee on Constitution and Elections.

## SECOND READING

SENATE BILL NO. 2307, by Senators Gardner and Bottiger (by Joint Committee on Education request):

Implementing law relating to type and size of third class school district boards.

The bill was read the second time by sections.

On motion of Senator Gardner, Senate Bill No. 2307 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2307, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 5; excused, 4.

Voting yea: Senators Bailey, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Absent or not voting: Senators Bottiger, Connor, Greive, Jones, Mardesich—5.

Excused: Senators Atwood, Mattingly, Peterson (Ted), Talley—4.

SENATE BILL NO. 2307, having received the 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 Senator Sandison, Engrossed House Bill No. 736 was ordered to hold its place on the second reading calendar for Saturday, March 31, 1973.

## SECOND READING

SENATE BILL NO. 2554, by Senators Murray and Metcalf:  
Implementing the laws on prevention of cruelty to animals.

## MOTIONS

On motion of Senator Murray, Substitute Senate Bill No. 2554 was substituted for Senate Bill No. 2554 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Murray, Substitute Senate Bill No. 2554 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Donohue: "Would Senator Murray yield? Senator, in new section 2, line 25, there is the phrase 'summarily to relieve'. What does this mean?"

Senator Murray: "If they actually see an animal being tortured they can take action to prevent it."

Senator Donohue: "To do what? To relieve the. . ."

Senator Murray: "In general, it is probably specifically aimed at feeding or watering the animal."

Senator Donohue: "Oh, it pertains to care of the animal in that area?"  
 Senator Murray: "Care of the animal, that is correct."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Murray yield to a further question? Senator Murray, at the present time if the local Humane Society is enforcing the laws, it is by a man in uniform, so that the homeowner or any other individual who is around there would know that this is an official enforcement officer? What protections do we have in this bill which would say you would not have numerous organizations going around enforcing the humane laws and would not be distinguished as officers?"

Senator Murray: "In essence, under existing law, all current law enforcement officers are entitled to enforce the law of the state of Washington. In addition, the Humane Society authorized within a county also has the specific responsibility of enforcing the cruelty to animals laws that are currently the law of the state of Washington. Now under this bill the change that would be made is merely that instead of the first Humane Society authorized by the county, the county is now authorized to have one or more Humane Societies set up specifically for the enforcement of animal law."

POINT OF INQUIRY

Senator Woodall: "Will Senator Murray further yield? Does this in any wise extend or change the definition of cruelty? In other words, now there are some people who think you should not brand animals and some people think you should not bulldoze and some people think you should not lasso. Now does this in any wise bring in any new definitions or extend anything that way?"

Senator Murray: "No, sir. The fifteen pages that we cut out of the original bill might have been interpreted that way, although even that was subject to question."

Senator Woodall: "Your first bill was fifteen pages?"

Senator Murray: "The first bill was fifteen pages. The substitute bill is only one."

POINT OF INQUIRY

Senator Canfield: "I would like to ask Senator Murray a question. Senator, at the bottom of page 1, it says animals being restrained or detained, or 'if sick, injured or otherwise in pain.' Now if you read on in page 2 that means that the officer or any of these people can come right into your house. Is that correct?"

Senator Murray: "They could if they have reason to believe that there is an animal that is being mistreated, under the existing law of the state. That is correct."

MOTION

On motion of Senator Francis, Substitute Senate Bill No. 2554 was ordered placed on the third reading calendar for Saturday, March 31, 1973.

MOTION

On motion of Senator Durkan, the following resolution was adopted:

SENATE RESOLUTION 1973-51

By Senator Durkan:

WHEREAS, Every year several million wild animals are killed for their fur by trappers;  
 and  
 WHEREAS, Most of them die slowly and painfully, after having a leg or paw caught in a powerful steel jaw or leghold trap; and

WHEREAS, The number of nontarget animals caught is often as high as double a trapper's total usable catch and are merely discarded, having been tortured and killed for no reason; and

WHEREAS, Many trapped animals die from hunger and thirst, loss of blood, gangrene, infection and are subject for long periods to the mercy of predatory animals without the ability to flee or defend themselves; and

WHEREAS, The steel jaw trap is a cruel and brutal device containing sharp steel teeth that pierce through flesh and muscles and often break bones; and

WHEREAS, Alternative devices presently exist designed to trap or capture specific animals in a manner by which such animals are painlessly captured or instantaneously killed;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the interim committee on fisheries, game and game fish or the natural resources committee, whichever shall exist, is requested to conduct a study of animal trapping in the state of Washington including a survey of the methods and purposes for trapping animals, the types of traps, snares, and capturing devices utilized, and alternative traps and devices available to capture animals in a more selective and humane manner;

BE IT FURTHER RESOLVED, That for the purpose of securing necessary research, technical and supporting services, the committee shall be authorized to utilize the staff of state agencies which deal with wild animals subject to trapping;

BE IT FURTHER RESOLVED, That the committee shall report to the legislature the results of its study, together with its recommendations and such drafts of legislation as it may deem necessary prior to the next regular session of the legislature.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

March 30, 1973.

Mr. President: The House has passed:

SENATE JOINT MEMORIAL NO. 126,

SENATE JOINT MEMORIAL NO. 127, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE JOINT MEMORIAL NO. 126,

SENATE JOINT MEMORIAL NO. 127.

#### MOTION

At 4:00 p.m., on motion of Senator Bailey, the Senate adjourned until 9:30 a.m., Saturday, March 31, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.



## TWENTY-THIRD DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, March 31, 1973.

The Senate was called to order at 9:30 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Gardner, Mattingly, Newschwander and Talley. There being no objection, Senator Talley was excused. On motion of Senator Scott, Senator Mattingly was excused.

The Color Guard, consisting of Pages Christy Bergren and Lori Boyle, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered the following prayer:

"OUR FATHER GOD, IN THE SOLEMN STILLNESS OF THIS MOMENT OF ALLEGIANCE TO THE STARS AND STRIPES AND TO THE FLAG OF OUR COMMONWEALTH, INSTILL WITHIN US MORE OF THAT DEEP SENSE OF APPRECIATION AND OF DEDICATION SO APPARENT IN OUR RETURNING PRISONERS OF WAR. OUR LAND IS YOUR LAND, O GOD, AND THIS WORLD IS YOUR WORLD; THE OBJECT OF YOUR LOVE, THE ARENA OF MAN'S ACHIEVEMENT, AND THE SCENE OF MAN'S STRUGGLES. YOU HAVE CALLED THESE SENATORS, THROUGH THE VOTE OF THE PEOPLE, FOR A SPECIAL TASK FOR SUCH A TIME AS THIS.

"NOW WE PRAY THAT AS YOU HAVE CALLED THEM, YOU WOULD ALSO SUSTAIN THEM AND ENLIGHTEN THEM AND INSPIRE THEM TO ACT AS YOUR AGENTS IN THE ACCOMPLISHMENT OF YOUR WILL, FOR THE GREATEST WELL-BEING OF THE PEOPLE OF THIS STATE AND HIGHEST GLORY OF YOUR NAME, THROUGH JESUS CHRIST OUR LORD. AMEN."

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

March 30, 1973.

SENATE BILL NO. 2009, providing for an advisory council on science and technology and defining its functions (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by the Committee on Ecology.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Canfield, Dore, Gardner, Grant, Lewis (Harry), Marsh, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

March 30, 1973.

SENATE BILL NO. 2555, reducing liquor tax from four to two cents per fluid ounce (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Grant, Lewis (Harry), Marsh, Ridder.

Passed to Committee on Rules for second reading.

March 30, 1973.

SENATE BILL NO. 2598, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources and Ways and Means.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Lewis (Harry), Marsh, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE BILL NO. 2657, revising appeal procedures under the shoreline management act (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

Passed to Committee on Rules for second reading.

March 30, 1973.

SENATE BILL NO. 2672, establishing a federal revenue sharing trust fund (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Dore, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Ridder, Scott.

Passed to Committee on Rules for second reading.

March 30, 1973.

SENATE BILL NO. 2909, directing the director of OPPFM to establish a uniform system of state payroll accounting (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 31, 1973.

SENATE JOINT RESOLUTION NO. 108, providing a constitutional limitation on the delegation of legislative power to administrative agencies (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Stortini, Washington.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 356, changing certain legal holidays (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 361, amending the law regarding contracts to furnish medical care to recipients of public assistance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Keefe, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 362, subrogating the department of social and health services to certain rights of persons who receive public assistance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Herr, Jones, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 363, changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Herr, Jones, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 29, 1973.

HOUSE BILL NO. 365, providing for qualifications of superintendents of institutions (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Herr, Jones, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 30, 1973.

ENGROSSED HOUSE BILL NO. 376, creating an investment advisory committee and providing for the investment of certain public funds (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

March 31, 1973.

SUBSTITUTE HOUSE BILL NO. 392, revising the laws of divorce (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan.

Passed to Committee on Rules for second reading.

March 29, 1973.

ENGROSSED HOUSE BILL NO. 531, providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Herr, Jones, Twigg, Woody.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 595, abolishing certain accounts within the general fund (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

March 31, 1973.

HOUSE BILL NO. 617, providing a public list of absentee ballot applications (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

March 29, 1973.

ENGROSSED HOUSE BILL NO. 621, providing for environmental protection in public construction contracts (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

Passed to Committee on Rules for second reading.

March 30, 1973.

HOUSE BILL NO. 628, exempting from catch taxes food fish and shellfish taken from fish farms (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Grant, Lewis (Harry), Marsh, Ridder, Scott.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

March 30, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 252,

ENGROSSED HOUSE BILL NO. 305,

ENGROSSED HOUSE BILL NO. 549,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 597,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 611,

ENGROSSED HOUSE BILL NO. 769,

ENGROSSED HOUSE BILL NO. 791,

HOUSE BILL NO. 1019, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 30, 1973.

Mr. President: The House has passed SENATE BILL NO. 2268, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

March 30, 1973.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 596, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate commenced consideration of Substitute Senate Bill No. 2454.

SECOND READING

SUBSTITUTE SENATE BILL NO. 2454, by Committee on Labor (originally sponsored by Senators Bottiger and Grant):

Amending the law regarding employment agencies.

The bill was read the second time by sections.

On motion of Senator Mardesich, Substitute Senate Bill No. 2454 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Woodall: "Will Senator Grant yield? Senator Grant, you mentioned theaters. Does this act relate to booking agencies? In other words, we have bona fide booking agents. Does this in any way get into that realm where you buy acts?"

Senator Grant: "Well, that is a good question, Senator. I am not well acquainted with the type of arrangements that you are talking about, the booking agencies for theatrical employment. The act does add the theatrical employment agency to the definitions of employment agency, and it defines them as any person procuring employment for entertainments which do not include management, which incidentally involves the seeking of employment."

Debate ensued.

MOTION

On motion of Senator Mardesich, there being no objection, Substitute Senate Bill No. 2454 was returned to second reading.

Debate ensued.

MOTION

On motion of Senator Woodall, Substitute Senate Bill No. 2454 was ordered held for the second reading calendar on Monday, April 2, 1973.

SECOND READING

SENATE BILL NO. 2833, by Senator Durkan:

Authorizing certain docks for single family residence with a twenty-five hundred dollar construction cost limitation.

The bill was read the second time by sections.

On motion of Senator Durkan, Senate Bill No. 2833 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Durkan yield? This would not cover docks on the saltwater side. It is mostly in lakes?"

Senator Durkan: "If you had a home on the saltwater side and you were going to build it for less than twenty-five hundred you could do it, if you had a beach home, but you still have to remember this does not take away the fact that you have to file with the Corps, you have to file and get permission from the Corps of Army Engineers because they have the jurisdiction over all navigable waters."

Senator Peterson (Ted): "The limitation of twenty-five hundred dollars was what kind of mystified me; on the saltwater side you could not begin to put a dock in for that price."

Senator Durkan: "That is right. You cannot build, that is right."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2833, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senator Francis—1.

Absent or not voting: Senators Gardner, Newschwander—2.

Excused: Senators Mattingly, Talley—2.

SENATE BILL NO. 2833, having received the 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

Senator Grant moved that Senator Gardner be excused.

Debate ensued.

Senator Mardesich objected to excusing Senator Gardner.

Debate ensued.

## MOTION

On motion of Senator Mardesich, Senator Gardner was not excused.

## MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 736 was ordered held on the second reading calendar for Monday, April 2, 1973.

## MOTION

At 10:05 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. President Pro Tempore Henry called the Senate to order at 12:00 noon.

## MOTION

At 12:05 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2916, by Senator Day:

An Act relating to professional license fees.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 2917, by Senators Fleming and Ridder:

An Act relating to port districts; and amending section 11, chapter 65, Laws of 1955 and RCW 53.36.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 252, by Representatives Ceccarelli, Pardini, Eikenberry and Leckenby:

Providing for a deferred compensation program for state employees.  
Referred to Committee on Financial Institutions.

ENGROSSED HOUSE BILL NO. 305, by Representatives Pardini, Adams, Kopet, Thompson, Cunningham and Hendricks (by Department of Social and Health Services request):

Providing additional procedures for enforcing support obligations.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 549, by Representatives Kuehnle, Beck, Zimmerman, Pardini, Bagnariol, Randall, Paris, Hendricks, Garrett, Patterson, Barden, Luders, Knowles, Eng and Matthews:

Regulating sale and transfer of devices adapted for the use of drugs by injection.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 596, by Representatives Johnson and Kelley:

Permitting a vintage motor vehicle to be used for daily transportation and bear plates from its year of manufacture.  
Referred to Committee on Transportation and Utilities.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 597, by Committee on Social and Health Services (originally sponsored by Representatives Thompson, Zimmerman and Laughlin):

Providing for the development of public water supply systems.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 611, by Committee on Social and Health Services (originally sponsored by Representatives Zimmerman, Thompson and Laughlin):

Providing for coordinated development of public water supply systems.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 769, by Representative Kopet:

Enabling secretary of department of social and health services to sell certain lands.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 791, by Representatives Bluechel, Randall, Williams, Zimmerman, Charnley, Kopet, Brown, North (Lois), Matthews, Kraabel, Patterson, Hoggins, Perry, Rabel, Nelson and Blair:

Enacting the Washington Land Use Act.

#### MOTION

Senator Fleming moved that the introduction and first reading of Engrossed House Bill No. 791 be delayed until Sunday, April 1, 1973.

Debate ensued.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Rasmussen yield? Senator, is this the report of the committee which was headed by Representative Chapin for the past couple of years or so?"

Senator Rasmussen: "I think that is correct."

Senator Canfield: "Mr. President and Senator Rasmussen, I understand that hearings were held all throughout the state. I attended a couple of them and it was my understanding when I attended these sessions that it was a state land use planning and not just for local government. Am I correct in that?"

Senator Rasmussen: "This is correct. It reads, 'Enacting the Washington land use act.' The motion was to delay rather than refer to Local Government and that is why I was a little confused what Senator Fleming had in mind."

## MOTION

Senator Fleming moved that Engrossed House Bill No. 791 be referred to the Committee on Local Government.

Debate ensued.

The motion by Senator Fleming failed on a rising vote and Engrossed House Bill No. 791 was referred to the Committee on State Government.

## PERSONAL PRIVILEGE

Senator Fleming: "Mr. President, I would like to speak on a point of personal privilege and the fact that I appreciate the opportunity to make that motion that was just made and I would hope in all sincerity that Senator Rasmussen, since this is a local and state government issue, that if and when he is through considering that measure, I would hope that he would refer it to the Committee on Local Government so we can take a look at it, too."

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1019, by Representatives Julin, Randall, Pardini, Tilly and Bagnariol:

Authorizing the use of certain tax information and records to determine sales and use tax liability.

Referred to Committee on Ways and Means.

## MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2366 was ordered to hold its place on the second reading calendar for Monday, April 2, 1973.

On motion of Senator Mardesich, Senate Bill No. 2134 was ordered to hold its place on the second reading calendar for Tuesday, April 3, 1973.

## SECOND READING

SENATE BILL NO. 2045, by Senators Scott and Marsh:

Providing for the determination of comparative negligence.

The bill was read the second time by sections.

On motion of Senator Woody, the following amendment was adopted:

On page 1, section 1, line 7, after "property," strike "if such contributory negligence was no greater than the negligence of the person or other entity against whom recovery is sought."

On motion of Senator Francis, Engrossed Senate Bill No. 2045 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2045, and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woody—38.

Voting nay: Senators Clarke, Durkan, Guess, Jones, Lewis (Bob), Metcalf, Talley, Wanamaker, Woodall—9.

Absent or not voting: Senator Sellar—1.

Excused: Senator Mattingly—1.



ENGROSSED SENATE BILL NO. 2045, having received the 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 Senator Mardesich, Senate Concurrent Resolution No. 124 was ordered to hold its place on the second reading calendar for Monday, April 2, 1973.

On motion of Senator Mardesich, Senate Bill No. 2518 was ordered held for the second reading calendar on Tuesday, April 3, 1973.

On motion of Senator Mardesich, Senate Bill No. 2046 was ordered held following consideration of Senate Bill No. 2134 on the second reading calendar for Tuesday, April 3, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered held for the third reading calendar on Tuesday, April 3, 1973.

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (originally sponsored by Senators Matson and Peterson (Lowell)): Revising motor vehicle over-weight fee schedules.

#### MOTIONS

There being no objection, on motion of Senator Guess, Engrossed Substitute Senate Bill No. 2583 was returned to second reading.

On motion of Senator Guess, the following amendment was adopted:

On page 3, section 2, line 18 of the engrossed substitute bill, being line 13 of the printed substitute bill, after "vehicles" insert "with loads of non-reducible widths".

On motion of Senator Guess, Reengrossed Substitute Senate Bill No. 2583 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Substitute Senate Bill No. 2583, and the bill passed the Senate by the following vote: Yeas, 41; nays, 5; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—41.

Voting nay: Senators Francis, Odegaard, Ridder, Scott, Whetzel—5.

Absent or not voting: Senators Fleming, Washington—2.

Excused: Senator Mattingly—1.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Mardesich, Bailey and Francis demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senator Mattingly, who was previously excused.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Day moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 204, as amended by the Senate, failed to pass the Senate.

The motion for reconsideration carried on a rising vote.

## MOTION

Senator Lewis (Harry) moved that Engrossed House Bill No. 204, as amended by the Senate, be held for further consideration on Monday, April 2, 1973.

Debate ensued.

The motion by Senator Lewis (Harry) failed on a rising vote.

President Pro Tempore Henry declared the question before the Senate to be final passage of Engrossed House Bill No. 204, as amended by the Senate, on reconsideration.

## ROLL CALL

The Secretary called the roll and Engrossed House Bill No. 204, as amended by the Senate, on reconsideration, passed the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Day, Donohue, Fleming, Francis, Gardner, Henry, Herr, Jolly, Keefe, Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Talley, Twigg, Walgren, Woodall, Woody—27.

Voting nay: Senators Atwood, Clarke, Connor, Dore, Durkan, Grant, Greive, Guess, Jones, Knoblauch, Lewis (Harry), Lewis (Bob), Metcalf, Newschwander, Ridder, Sellar, Stortini, Van Hollebeke, Wanamaker, Washington, Whetzel—21.

Excused: Senator Mattingly—1.

ENGROSSED HOUSE BILL NO. 204, as amended by the Senate, on reconsideration, having received the 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

Senator Day moved that Engrossed House Bill No. 204, as amended by the Senate, be immediately transmitted to the House.

## REMARKS BY SENATOR HARRY LEWIS

Senator Lewis (Harry): "Having voted on the prevailing side, I move that on Monday we vote to reconsider the vote by which Engrossed House Bill No. 204 passed."

## REMARKS BY SENATOR WOODALL

Senator Woodall: "A bill may have only one reconsideration."

## REMARKS BY SENATOR GREIVE

Senator Greive: "This is not reconsideration of the same vote. That was a vote that lost and it is a different vote and you can have more than one reconsideration; under the same ruling that we had yesterday, Senator Lewis's motion is very much in order and it takes precedence over a motion to immediately transmit. We have had many rulings on that on this floor. Rule 204 of Reed's."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "I have not adopted Reed's and besides you had a different presiding officer when those rulings were made and besides that, Senator Lewis (Harry) did not vote on the prevailing side. He voted no."

The motion by Senator Day carried and Engrossed House Bill No. 204, as amended by the Senate, was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

March 30, 1973.

Mr. President: The House has passed ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, with the following amendments:

On page 1 of the engrossed resolution, strike all material beginning with "Rule 3." on line 6 down to and including "interim." on page 7, line 28 and insert the following:

"Rule 3. A legislative employee shall not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary, nor shall he, during the [session] *course of his employment*, give any legislative advice, assistance, or service to anyone other than a legislator or legislative employee except in connection with his authorized or assigned duties.

A legislative employee, by himself or through others, shall not influence or attempt to influence a state agency, board, or commission to secure or grant special privileges, exemptions, advantages, contracts, or treatment, for himself or for others.

A legislative employee shall not deliver or agree to deliver any gift, compensation, reward, or gratuity for or on behalf of any person or organization interested in matters before the legislature, nor may he accept or solicit such items for himself or for others.

A legislative employee shall not accept employment, or engage in any business, or be involved in any activity which he might reasonably expect would require him to use or disclose information gained by virtue of his legislative position.

A legislative employee shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the Board of Ethics.

A legislative employee shall not acquire a financial interest in any business enterprise which he has reason to believe may be involved in a legislative action from which the enterprise would benefit.

A legislative employee shall not use or attempt to use his official position to secure or grant special privileges, exemptions, advantages, contracts, or treatment, for himself or for others.

A legislative employee shall not solicit or accept campaign contributions for any candidate for public office while employed by the legislature.

*Rule 9.* In case of a failure of the conferees to agree on matters directly at issue between the two houses, a report of the items of such disagreement including new proposed items within the scope and object of the title of the bill in conference shall be made and the power of free conference may be granted to the two houses either to the same committee, or the committee may be discharged and a new committee appointed with the power of free conference, to whom only items of disagreement or new items approved by one house in the disputed bill or resolution may be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be acted upon in the same manner as provided for reports of conference committees: PROVIDED, *That all meetings of free conference committees shall be open to the public: PROVIDED FURTHER,* That the house and senate shall have thirty-six hours *during a regular session and twelve hours during a session of ten days or less* from the time of receipt in the house originating the conference request to consider reports from a free conference committee and shall not vote thereon until [the thirty-six hour] *such* period shall have elapsed except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: PROVIDED FURTHER, That

irrespective of any rule herein or any rule of either the Senate or the House of Representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote of all the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature.

*Rule 19.* [Senate bills in the house and house bills in the senate in the possession of the rules committees, shall be selected for the calendars of both the senate and house on Wednesday of each week during the session, and to follow the progress of senate bills in the house and house bills in the senate, the president of the senate shall appoint three members of the senate rules committee and the speaker of the house shall appoint three members of the house rules committee, who will jointly act as an advisory calendar committee in regard to senate bills in the house and house bills in the senate, said advisory committee to be appointed not later than the fifteenth day of the session.] *There shall be a joint legislative budget information committee of the legislature consisting of eight members, four from each political party: PROVIDED, That each house shall have equal representation on this committee. The members shall include the speaker of the house of representatives, the majority floor leader of the senate, the minority floor leader of the senate, and the minority floor leader of the house of representatives.*

*The joint legislative budget information committee shall furnish confidential budget information to individual members or caucuses of the legislature and provide performance audit functions for the legislature, regardless of whether the legislature is in session.*

*Rule 28.* [A committee bill may originate in either house, provided the entire committee unanimously favors the introduction of such bill at a regularly called meeting of the committee. Each member of the committee shall endorse his name thereon. The rules committee of either house may introduce bills upon executive request by a two-thirds vote of the committee. No bill shall be introduced as a joint committee bill.]

*The introduction of any bill in either house shall be in accordance with the rules of the house of introduction.*

*Rule 29.* [Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.]

*Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.*

All joint public hearings held by [joint] the committees shall be scheduled at least five days in advance, shall be open to the public, and shall be given publicity: PROVIDED, That [this] the notice and scheduling provision shall not apply to joint hearings held after the fiftieth day of the regular session [or during any special session.]

*Rule 31.* The sessions of the legislature shall be held biennially, convening at 12 o'clock noon on the second Monday of January each odd year, as provided by chapter XX of the laws of 1891 (44.04.010, RCW) in accordance with art. 2, section 12 of the state Constitution.

*The first special session of the forty-third legislature shall adjourn sine die no later than Sunday, the twenty-third day of September, 1973. In accordance with the provisions of Article II, section 11 of the state Constitution, such special session shall be temporarily adjourned no later than Sunday, the eighth day of April, shall be reconvened on Friday, the fifteenth day of June, shall be temporarily adjourned no later than Sunday, the twenty-fourth day of June, and shall be reconvened on Friday, the fourteenth day of September until adjournment sine die no later than Sunday, the twenty-third day of September, 1973.*

*In the event the governor shall call a special session of the forty-third legislature in January, 1974, such session shall meet for no more than a total of forty-five days, and shall adjourn sine die no later than Tuesday, the thirtieth day of April, 1974.*

*NEW RULE. Rule 36.* When the legislature is not convened in session, the standing committees of each house named in the rules of each house adopted during the regular session of the forty-third legislature shall continue to function on the same basis as when the legislature is convened in session, subject to the following:

(1) All standing committees of both houses may meet only on the last consecutive Friday, Saturday, and Sunday of each month in Olympia: PROVIDED, HOWEVER, That the rules committee of either house may provide for alternate locations or additional meetings of any standing committee of the same house as may be determined necessary;

(2) Subject to the approval of the rules committee of the appropriate house, subcommittees and select committees of standing committees may conduct meetings and hold hearings throughout the state on such legislation and matters as may be assigned to the standing committee, and, in turn, assigned to the select or subcommittee.

*NEW RULE. Rule 37.* Regardless of whether the legislature is in session, and subject to the provisions of Rule 36 to the extent that it is applicable, members of the legislature and the president of the senate may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses and payments in lieu of subsistence and lodging for conducting official business of the legislature.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Mardesich moved that the Senate do concur in the House amendments to Engrossed Senate Concurrent Resolution No. 125.

#### MOTION

Senator Washington moved that further consideration of the House Message on Engrossed Senate Concurrent Resolution No. 125 be had on Monday, April 2, 1973. Debate ensued.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Washington to consider the House Message on Engrossed Senate Concurrent Resolution No. 125 on Monday, April 2, 1973.

The motion by Senator Washington carried.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 2554, by Committee on Local Government (originally sponsored by Senators Murray and Metcalf):

Providing for prevention of cruelty to animals.

#### MOTION

On motion of Senator Murray, Substitute Senate Bill No. 2554 was returned to second reading.

Senator Canfield moved adoption of the following amendment:

On page 1, beginning on line 21, strike all of section 2.

#### POINT OF INQUIRY

Senator Murray: "Will Senator Canfield yield to a question? Senator Canfield, I am going to concur in your proposed amendment, but I would like to make one thing clear regarding the legislative intent. The intent of the second section that you are suggesting we remove really is to re-emphasize the fact that other normal police officers, law enforcement officers, are supposed to enforce existing law. Now the repeal of this section will not, in effect, make any change of law, whether we put it in or whether we take it out. Therefore, I am willing to go along. I want to make it clear, however, that by repealing this section we are not repealing existing law. It is not the legislative intent to repeal existing law."

Senator Canfield: "Mr. President and gentlemen, I agree heartily with Senator Murray."

Senator Murray: "In that case, Mr. President, I concur in the proposed amendment."

On motion of Senator Lewis (Harry), Engrossed Substitute Senate Bill No. 2554 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2554, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—45.

Voting nay: Senators Clarke, Sellar, Woodall—3.

Excused: Senator Mattingly—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2554, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2716, by Senator Bottiger:

Establishing a collective bargaining unit comprised of exempt employees who are liquor vendors.

The bill was read the second time by sections.

On motion of Senator Bottiger, Senate Bill No. 2716 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### PERSONAL PRIVILEGE

Senator Knoblauch: "Senator Mardesich, under point of personal privilege I was going to present a couple of certificates of special award tomorrow, but since we do not meet tomorrow I would like to do it today. Some of you members of the Senate have been told that we get our reward in heaven. Well, I want to give a couple of fellows in the Senate their reward on earth. I want to tell you that I am going to campaign for floor leader in the next year and when I take over I am going to reward a couple members of the Senate. And I do not know whether they thought I would do a lousy job as Chairman of the powerful Parks and Recreation Committee but whatever they thought, I hope I have not let them down.

"I would like to, as the Chairman of the powerful Parks and Recreation Committee, make an appointment of honorary vice chairman to two members of the Senate, the term to last fifty years, dated the first of April, 1973. And for his fine work in my behalf I would like to appoint to the powerful Committee on Parks and Recreation the Honorable Senator August B. Mardesich. And then to another member of the Senate, whom I think gave me a very fine reward, I have had three meetings, three condemnations and two bills, really been overworked, I kind of feel he had a part in this and I would like to present an honorary membership to another very fine Senator, Martin J. Durkan."

REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, I am almost overwhelmed. I am more than glad to be an honorary member, but I hope you will not call on me to spend too much time working there, Reuben."

SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2268.

There being no objection, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

March 31, 1973.

SENATE BILL NO. 2420, pertaining to public utility tax deductions (reported by Committee on Rules):

MAJORITY recommendation: That Senate Bill No. 2420 be referred to the Committee on Ways and Means.

Signed by: Senators Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Peterson (Ted), Talley; Woodall.

There being no objection, Senate Bill No. 2420 was referred to the Committee on Ways and Means.

March 31, 1973.

SENATE BILL NO. 2423, providing that first, second, and third class cities may operate off-street parking facilities and set minimum rates to be charged public (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Gardner, Jolly, Murray, Whetzel.

Passed to Committee on Rules for second reading.

March 31, 1973.

SENATE BILL NO. 2678, implementing laws relating to recall of elected public officials (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Stortini, Washington.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE BILL NO. 2825, providing for emergency alteration of streams by riparian owners (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Peterson (Ted), Rasmussen, Sandison, Talley.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE JOINT MEMORIAL NO. 124, requesting the Congress and administration to successfully conclude the law of the sea conference (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Rasmussen, Talley.

Passed to Committee on Rules for second reading.

March 30, 1973.

ENGROSSED HOUSE BILL NO. 685, providing that fire districts may contract with the state authority owning adjacent lands for fire protection (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

#### MOTION

At 3:35 p.m., on motion of Senator Mardesich, the Senate adjourned until 12:00 noon, Monday, April 2, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### TWENTY-FIFTH DAY

#### NOON SESSION

Senate Chamber, Olympia, Wash., Monday, April 2, 1973.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Keefe and Whetzel. On motion of Senator Knoblauch, Senator Keefe was excused. There being no objection, Senator Durkan was excused.

The Color Guard, consisting of Pages William Robey and Jenny Durkan, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

"OUR HEAVENLY FATHER, WE THANK YOU FOR A NEW WEEK. IN THIS MOMENT OF FAITH AND INSPIRATION, WE LIFT OUR SIGHTS AND SEEK A NEW MOTIVE FOR ALL THAT WE DO. MAY NONE OF US WORK THIS WEEK FOR SELFISH GAIN. MAY YOUR PURPOSES BE OUR PURPOSES, WE PRAY. MAY WE, EVERY DAY, LEARN TO LIVE AND WORK 'SERVING THE LORD,' DOING EVERYTHING FOR HIM. WHEN WE ARE ABLE TO DO THIS, IT LIFTS LIFE TO AN ENTIRELY NEW LEVEL AND TAKES SO MUCH STRAIN OUT OF LIVING. MAY THE INSPIRED WORDS OF SCRIPTURE MOTIVATE US IN THIS MOMENT AND IN THE MOMENTS AHEAD OF US TODAY. 'COME UNTO ME, ALL YE THAT LABOR AND ARE HEAVY LADEN, AND I WILL GIVE YOU REST. TAKE MY YOKE UPON YOU.' 'LOVE BEARETH ALL THINGS, BELIEVETH ALL THINGS, HOPETH ALL THINGS, ENDURETH ALL THINGS.'



"WE REALIZE, LORD, THAT WHEN THE PRESSURE OF LIFE GETS US DOWN, WE TEND TO HATE OUR WORK AND WISH WE COULD BE FREE OF IT ALTOGETHER. BUT YOU GIVE US A NEW ATTITUDE. IN YOUR PRESENCE AND IN JOYFUL SERVICE WE LOSE THE STRAIN. SO TOUCH THIS GROUP TODAY. BLESS THEM WITH YOUR OWN WONDERFUL PRESENCE AND PEACE. IN CHRIST'S NAME. AMEN."

MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

April 2, 1973.

SENATE BILL NO. 2099, authorizing a fire protection district service charge (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2099 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Odegaard, Vice Chairman; Bailey, Dore, Fleming, Gardner, Grant, Metcalf, Ridder, Scott.

Passed to Committee on Rules for second reading.

March 31, 1973.

SENATE BILL NO. 2247, revising state tax structure (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2247 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Fleming, Gardner, Grant, Marsh, Metcalf, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 2, 1973.

SENATE BILL NO. 2323, changing the definition of actuary for retirement system purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Dore, Gardner, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison.

Passed to Committee on Rules for second reading.

March 29, 1973.

SENATE BILL NO. 2748, relating to transportation (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2748 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Knoblauch, Rasmussen, Sellar, Talley, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

April 2, 1973.

SENATE BILL NO. 2866, relating to revenue and taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Gardner, Grant, Lewis (Harry), Ridder.  
Passed to Committee on Rules for second reading.

April 2, 1973.

SENATE BILL NO. 2887, limiting the transfer to justice courts of income from state traffic violations (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Fleming, Grant, Ridder, Scott.

Passed to Committee on Rules for second reading.

April 2, 1973.

SUBSTITUTE HOUSE BILL NO. 53, making certain amendments to the open space lands taxation laws (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Lewis (Harry), Marsh, Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 463, authorizing port district studies on industrial development (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 476, defining certificated employee for the purposes of Title 28A RCW (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Gardner, Grant, Marsh, Ridder, Scott.

Passed to Committee on Rules for second reading.

### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 129, by Senators Metcalf, Grant and Bailey:

Providing for a study of election procedures.

Referred to Committee on Constitution and Elections.

### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2071

### MOTION

On motion of Senator Odegaard, the following resolutions were adopted:

### SENATE RESOLUTION 1973-57

By Senator Odegaard:

WHEREAS, Captain Kenneth Wells, United States Air Force, captive of North Vietnam since December 18, 1971, has been released; and

WHEREAS, Captain Wells' plane was shot down over North Vietnam in the performance of his duties; and

WHEREAS, Kenneth Wells is the son-in-law of Mr. and Mrs. Harold Osborne of Centralia, Washington, and his meritorious conduct is a source of pride to the citizens of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that its heartfelt thanks be extended to Captain Wells for his patriotic and unselfish service to our nation; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be instructed to prepare a certified copy of the foregoing resolution for presentation to Captain Kenneth Wells.

SENATE RESOLUTION 1973-58

By Senator Odegaard:

WHEREAS, Samuel Mattix, a Christian Missionary, captured in Laos, October 28, 1972, has been released; and

WHEREAS, Samuel Mattix felt so strongly about his convictions that he served in his chosen work in a war area; and

WHEREAS, Samuel Mattix is a native of Centralia, Washington, and his dedication is a source of pride to both the citizens of Centralia and the other cities of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that its heartfelt thanks be extended to Samuel Mattix for his unselfish and dedicated service in his chosen field; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be instructed to prepare a certified copy of the foregoing resolution for presentation to Samuel Mattix.

SENATE RESOLUTION 1973-59

By Senator Odegaard:

WHEREAS, Major Edward W. Leonard, Jr., United States Air Force, captive of the Laotian Communists since May 31, 1968, has been released; and

WHEREAS, Major Leonard felt so strongly that he wanted to fly rescue missions or he would resign his commission; and

WHEREAS, Major Leonard was brought back from Germany after four years in transport and trained for another year before he was sent to Southeast Asia; and

WHEREAS, He had completed 100 missions and was scheduled to return home in six weeks when he was captured; and

WHEREAS, Edward W. Leonard, Jr., is a native of Winlock, Washington, and his meritorious conduct is a source of pride to both the citizens of Winlock and the other cities of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that its heartfelt thanks be extended to Major Leonard for his patriotic and unselfish service to our nation; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be instructed to prepare a certified copy of the foregoing resolution for presentation to Major Edward W. Leonard, Jr.

MOTION

On motion of Senator Peterson (Lowell), the following resolution was adopted:

SENATE RESOLUTION 1973-53

By Senators Bailey and Peterson (Lowell):

WHEREAS, The proliferation of elk in the State of Washington varies by subspecies of elk and by geographic area; and

WHEREAS, It is in the interest of the citizens of the State of Washington to prevent elk or any subspecies of elk from becoming an endangered species in the state as a whole or in any area of the state;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Standing Committee on Natural Resources, or its successor, shall conduct a study to determine whether separate elk tags should be issued by subspecies and by geographic area;

BE IT FURTHER RESOLVED, That the results of such study and recommendations shall be presented to the Senate by January 1, 1974.

#### MOTION

On motion of Senator Marsh, the following resolution was adopted:

#### SENATE RESOLUTION 1973-54

By Senators Marsh and Henry:

WHEREAS, Chapter 18.27 RCW requires the registration and bonding of certain contractors; and

WHEREAS, RCW 18.27.130 preempts the field of contractor registration and bonding, so that local governments may not regulate contractors registered under chapter 18.27 RCW; and

WHEREAS, Prior to the enactment of chapter 18.27 RCW many cities and counties regulated contractors, and the voiding of this local regulation is thought to have given rise to local problems which might be solved through amending chapter 18.27 RCW to allow some degree of local regulation of contractors;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and directs the legislative council to study the desirability of amending present state law to allow local regulation of contractors;

BE IT FURTHER RESOLVED, That the results of the study and recommendations for legislation including specific types of local regulation to be allowed and specific classes of local governments to be affected, be presented to the session of the legislature to be convened in January, 1974.

#### MOTION

On motion of Senator Walgren, the following resolution was adopted:

#### SENATE RESOLUTION 1973-55

By Senators Walgren and Peterson (Lowell):

WHEREAS, The area of Puget Sound known as "Hood Canal" constitutes a most valuable natural resource belonging to all the people of this state; and

WHEREAS, These waters constitute an important fishery and also provide fertile beds for clams, crabs, oysters, geoduck, other shellfish, and support the newly developing fish farming industries and aquaculture activities; and

WHEREAS, The economy, future prosperity, and environmental quality of these waters are dependent upon the wise use thereof; and

WHEREAS, The shallow character of many parts of Hood Canal makes it imperative that the relationship and effects of various fishing seasons and fishing methods upon the bottom areas, especially that of drag fishing, be fully and carefully evaluated; and

WHEREAS, It is desirable to establish fishing seasons and methods which yield an optimum fish resource in a manner and at only those times which afford full protection to the environment of Hood Canal;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the standing or interim natural resources committee, whichever shall exist, is requested to conduct a study of the various fishing seasons and methods, including drag fishing, in the Hood Canal waters so as to determine the effects of fishing on the other sea life, the bottom areas, the fish resource, and the general environmental character of Hood Canal;

BE IT FURTHER RESOLVED, That for the purpose of securing necessary research, technical and supporting services, the committee shall be authorized to utilize the staff of state agencies which deal with fish and shellfish and the waters of Hood Canal;

BE IT FURTHER RESOLVED, That the committee shall report to the legislature the results of its study, together with its recommendations and such drafts of legislation as it may deem necessary prior to the next regular session of the legislature.

MOTION

On motion of Senator Jolly, the following resolution was adopted:

SENATE RESOLUTION 1973-56

By Senators Jolly, Woody and Sandison:

WHEREAS, The American Correctional Association is planning to hold its annual national conference in the City of Seattle, August 12 to 17, in the famous Seattle Center; and

WHEREAS, The Washington State Senate extends a warm invitation to those delegates who come to the State of Washington for this conference; and

WHEREAS, The State of Washington is pleased and happy to be the host state for the 103rd Congress of Corrections in this most Northwesterly of the contiguous forty-eight states, the cradle of Northwest history;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, meeting in Olympia, Washington, that the warm and sincere greetings of our legislature and all the citizens of this great state are extended to the Congress of Corrections sponsored by the American Correctional Association at its meeting in Seattle, August 12 to 17, 1973; and

BE IT FURTHER RESOLVED, That we do hereby request that all officials and employees of the state government and its political subdivisions, as well as the people of this state, join in a hearty welcome to the many visitors from other states and nations who will be attending the 103rd Congress of Corrections; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Secretary of the Senate to R. A. Freeman, Associate Superintendent, Host Committee Chairman, 1973 ACA Congress of Corrections.

There being no objection, the Senate returned to the second order of business.

REPORT OF CONFERENCE COMMITTEE

March 28, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 601, revising voter registration procedures, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference. A Free Conference will allow the Committee to further clarify the intent of House Bill No. 601 by proposing amendments spelling out in detail the information and form required to improve the voter registration and transfer process.

Signed by: Senators Grant, Clarke and Washington; Representatives Clemente, Brown and Parker.

MOTION

On motion of Senator Grant, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MOTION

At 12:30 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.  
At 2:05 p.m., on motion of Senator Bailey, the Senate recessed until 4:10 p.m.

## SECOND AFTERNOON SESSION

The President called the Senate to order at 4:10 p.m.

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

April 2, 1973.

SENATE BILL NO. 2414, establishing multipurpose senior centers (reported by Committee on Social and Health Services):

MAJORITY recommendation: That the bill be referred to Committee on Ways and Means.

Signed by: Senators Day, Chairman; Connor, Francis, Herr, Jones, Murray, Woody.

There being no objection, Senate Bill No. 2414 was referred to the Committee on Ways and Means.

April 2, 1973.

SENATE BILL NO. 2841, providing a sales tax exemption for hospital laundry services (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Bailey, Canfield, Dore, Fleming, Gardner, Lewis (Harry), Mardesich, Ridder, Sandison.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, authorizing certain services for certain persons receiving public assistance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Herr, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

April 2, 1973.

HOUSE CONCURRENT RESOLUTION NO. 18, resolving that the department of social and health services proceed with a work incentive program (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Herr, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2454, by Committee on Labor (originally sponsored by Senators Bottiger and Grant):

Amending the law regarding employment agencies.

The Senate resumed consideration of Substitute Senate Bill No. 2454, having been returned to second reading on Saturday, March 31, 1973.

## MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 2454 was made a special order of business for 4:30 p.m. today.

MOTION

On motion of Senator Walgren, Senate Bill No. 2366, Engrossed House Bill No. 736 and Senate Concurrent Resolution No. 134 were ordered to hold their places on the second reading calendar for Tuesday, April 3, 1973.

THIRD READING

SENATE BILL NO. 2716, by Senator Bottiger:

Establishing a collective bargaining unit comprised of exempt employees who are liquor vendors.

MOTIONS

On motion of Senator Bottiger, Senate Bill No. 2716 was returned to second reading.

On motion of Senator Bottiger, the following amendment was adopted:

On page 1, section 1, line 7, after "vendors" and before the period insert "PROVIDED, That this 1973 amendatory act shall not be construed as granting such vendors retirement benefits or tenure".

On motion of Senator Bottiger, Engrossed Senate Bill No. 2716 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2716, and the bill passed the Senate by the following vote: Yeas, 26; nays, 15; absent or not voting, 8.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Marsh, Murray, Odegaard, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—26.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Lewis (Bob), Matson, Mattingly, Metcalf, Peterson (Ted), Rasmussen, Scott, Twigg, Wanamaker, Whetzel, Woodall—15.

Absent or not voting: Senators Greive, Jones, Lewis (Harry), Mardesich, Newchwander, Peterson (Lowell), Sellar, Talley—8.

ENGROSSED SENATE BILL NO. 2716, having received the 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 Senator Day, Senate Bill No. 2762 was ordered placed at the beginning of the second reading calendar for Tuesday, April 3, 1973.

There being no objection, the Senate returned to the sixth order of business.

SECOND READING

SENATE BILL NO. 2589, by Senators Woody, Greive and Dore:

Setting maximum fees and interest chargeable by pawnbrokers.

MOTIONS

On motion of Senator Woody, Substitute Senate Bill No. 2589 was substituted for Senate Bill No. 2589 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Woody, Substitute Senate Bill No. 2589 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2589, and the bill passed the Senate by the following vote: Yeas, 37; nays, 6; absent or not voting, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—37.

Voting nay: Senators Fleming, Grant, Guess, Rasmussen, Ridder, Stortini—6.

Absent or not voting: Senators Greive, Lewis (Harry), Mardesich, Newschwander, Sellar, Talley—6.

SUBSTITUTE SENATE BILL NO. 2589, having received the 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. 2264, by Senators Guess and Henry:  
Prohibiting alteration of motor vehicle suspension.

#### MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 2264 was substituted for Senate Bill No. 2264 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Guess, Substitute Senate Bill No. 2264 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### POINT OF INQUIRY

Senator Francis: "Will Senator Guess yield to a question? Senator Guess, apparently we are prohibiting something because it is dangerous and makes the car more likely to be involved in accidents. What is dangerous about the present system, about what we are prohibiting here?"

Senator Guess: "Under the present conditions you find that a lot of high school boys are raising cars using non-approved materials, like unsafe shackles to raise these vehicles, and if we follow the procedure that we have got here of limiting it to six inches above the sprung height of the manufacturer, then this stays within safe ranges."

Senator Francis: "Well, Senator, what my question really is, what is dangerous about it? Now you have said they are unsafe. Does it make them harder to stop? Does it make it more difficult steering? What is the problem?"

Senator Guess: "Anytime that you go away from the geometrics of the suspension system as designed by the engineers who manufactured the automobile you run the risk of creating an unsafe and unstable vehicle. You also have problems in that you change the weight ratio, you change the weight distribution on the front axle and the back axle and the braking capacity of the car is reduced. And so if you limit it to the height that we have here, then it will be still not an unsafe automobile."

#### POINT OF INQUIRY

Senator Matson: "Will Senator Guess yield to a question? Does this apply to trucks or load vehicles of any kind? Does this apply to trucks such as pickups?"



Senator Guess: "This would apply to pickups and any motor vehicle. One of the prime things that the boys use is the Ranchero. They had one down here on the parking lot. I went out and looked at it and it was just meeting this specification and it was an acceptable raise."

Senator Matson: "What about light trucks that are built up to take additional load in length or weight?"

Senator Guess: "It does not have to do with that. It has to do with raising the thing above the sprung height of the standard automobile. It has nothing to do with weight or the length of it."

Senator Matson: "What I am asking is whether or not a light truck that is lifted with springs in order to carry either an extra heavy or an extra long load on the—near or behind the back axle would be affected by this bill."

Senator Guess: "Yes, sir."

#### POINT OF INQUIRY

Senator Woody: "Will Senator Guess yield? Precisely on the point of Senator Matson, would this preclude the insertion of overload springs where the original manufacturer did not include overload springs?"

Senator Guess: "No, sir."

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Guess yield? Senator, now I had a three-quarter ton pickup with a four-wheel drive and on this particular deal the bed was considerably higher than a normal car. Would that be unlawful then to own a four-wheel drive pickup?"

Senator Guess: "No sir, this does not have anything to do with that because the manufacturer manufactured the vehicle in that condition and therefore it would stay. I might say that the federal government is fixing to and should about the first of June issue a new standard on bumper heights which will control that, though."

Senator Canfield: "The second question now, a lot of vehicles pull trailers, travel trailers, and they put on overloads or they put on air cushions. Would that be unlawful under this bill?"

Senator Guess: "No sir, it would not."

#### MOTION

On motion of Senator Matson, Substitute Senate Bill No. 2264 was held for further consideration later in the day.

#### MOTION

At 4:35 p.m., on motion of Senator Walgren, the Senate adjourned until 9:30 a.m., Tuesday, April 3, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SIXTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, April 3, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Rasmussen, Talley and Walgren.

The Color Guard, consisting of Pages Andrew Brager and Wendy White, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR HEAVENLY FATHER, THANK YOU FOR THIS GREAT DAY. THANK YOU FOR FILLING EACH ONE OF US WITH THE JOY OF LIFE AND WITH ENTHUSIASM FOR LIFE. IF THIS ZEST FOR LIFE HAS EVAPORATED FROM ANY WITHIN THESE WALLS, FORGIVE AND PUT IT BACK AGAIN. HELP US ALL TO WALK THROUGH THIS DAY KNOWING IT IS FILLED WITH ALL KINDS OF OPPORTUNITIES AND CHALLENGES, THAT IT IS FULL OF BEAUTY AND EXCITEMENT.

“GIVE THESE LEGISLATORS THE ABILITY THEY NEED TO FACE UP TO EVERY RESPONSIBILITY OF THIS EXTRA SESSION. GUIDE THEM, DEAR LORD, INTO YOUR PERFECT WILL. GIVE TO EACH ONE THIS DAY STRENGTH OF BODY AND CLARITY OF MIND. MAY DECISIONS COME SMOOTHLY AND GREAT GOOD BE ACCOMPLISHED. WE PRAY HUMBLLY, AND WE PRAY SINCERELY, AND WE PRAY IN JESUS' NAME. AMEN.”

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

April 3, 1973.

SENATE BILL NO. 2262, changing the voting requirements for water and sewer districts located in more than one city (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2572, clarifying the authority of sewer districts (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Sellar, Walgren.

Passed to Committee on Rules for second reading.

March 17, 1973.

SENATE BILL NO. 2685, removing the requirement that an operator of a motorcycle wear a helmet (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Stortini, Vice Chairman; Jolly, Knoblauch, Lewis (Bob), Matson, Peterson (Lowell), Rasmussen, Washington.

Passed to Committee on Rules for second reading.

April 3, 1973.

ENGROSSED HOUSE BILL NO. 821, providing for pre-arrangement contracts for the purchase of cemetery merchandise and services (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

April 3, 1973.

HOUSE BILL NO. 1035, relating to permitting eighteen year old musicians to be employed in places where liquor is served (reported by Committee on Commerce):

MAJORITY recommendation: Do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

April 2, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2268, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 31, 1973.

Mr. President: The Speaker has signed:

SENATE JOINT MEMORIAL NO. 126,

SENATE JOINT MEMORIAL NO. 127, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

March 31, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2525, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 2, 1973.

Mr. President: The House has concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 351, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

March 28, 1973.

Mr. President: The House has passed SENATE BILL NO. 2293, with the following amendments:

In the title, after "corporations;" in line 4, strike all material down to and including "39.53.060" on line 5, and insert the following:

"amending section 2, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.010; amending section 4, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.030; amending section 5, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.040; amending section 7, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.060; amending section 8, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.070; amending section 11, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.100; and declaring an emergency".

Strike all material after the enacting clause and insert the following:

"Section 1. Section 2, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.010 are each amended to read as follows:

Except where the context otherwise requires, the terms defined in this section shall for all purposes have the meanings herein specified:

(1) "Governing body" means the council, commission, board of commissioners, board of directors, board of trustees, board of regents, or other legislative body of the public body designated herein in which body the legislative powers of the public body are vested: PROVIDED, That with respect to the state it shall mean the state finance committee.

(2) "Public body" means the state of Washington, its agencies, institutions, political subdivisions, and municipal and quasi municipal corporations now or hereafter existing under the laws of the state of Washington.

(3) "Bond" means any revenue bond or general obligation bond.

(4) "Revenue bond" means any bond, note, warrant, certificate of indebtedness, or other obligation for the payment of money issued by a public body or any predecessor of any public body and which is payable from designated revenues or a special fund but excluding any obligation constituting an indebtedness within the meaning of the constitutional debt limitation and any obligation payable solely from special assessments or special assessments and a guaranty fund.

(5) "General obligation bond" means any bond, note, warrant, certificate of indebtedness, or other obligation of a public body which constitutes an indebtedness within the meaning of the constitutional debt limitation.

(6) "Advance refunding bonds" means bonds issued for the purpose of refunding bonds first subject to redemption or maturing one year or more from the date of the advance refunding bonds.

(7) "Issuer" means the public body issuing any bond or bonds.

(8) "Ordinance" means an ordinance of a city or town or resolution or other instrument by which the governing body of the public body exercising any power hereunder takes formal action and adopts legislative provisions and matters of some permanency.

(9) "Government obligations" means any of the following: (a) Direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America and bank certificates of deposit secured by such obligations; (b) bonds, debentures, notes, participation certificates, or other obligations issued by the banks for cooperatives, the federal intermediate credit bank, the federal home loan bank system, the export-import bank of the United States, federal land banks, or the federal national mortgage association; (c) public housing bonds and project notes fully secured by contracts with the United States; and (d) obligations of financial institutions insured by the federal deposit insurance corporation or the federal savings and loan insurance corporation, to the extent insured or to the extent guaranteed as permitted under any other provision of state law.

(10) Words used herein importing singular or plural number may be construed so that one number includes both.

Sec. 2. Section 4, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.030 are each amended to read as follows:

Any bonds issued for refunding purposes may be delivered in exchange for the outstanding bonds being refunded or may be sold in [the manner provided by law for the sale by the public body of bonds of the type being refunded] *such manner and at such price as the governing body may in its discretion determine advisable.*

Sec. 3. Section 5, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.040 are each amended to read as follows:

Bonds may be refunded hereunder or under any other law of this state which authorizes the issuance of refunding bonds when the holders thereof voluntarily surrender them for exchange or payment, or, if they mature or are subject to redemption prior to maturity within fifteen years from the date of the refunding bonds. In any advance refunding plan under this chapter the governing body shall provide irrevocably in the ordinance authorizing the issuance of the advance refunding bonds for the redemption of the bonds to be refunded [within] *not later than six months from the date they are first subject to redemption at par or fifteen years from the date of issuance of the refunding bonds, whichever is sooner.*

The ordinance authorizing the issuance of advance refunding bonds pursuant to this chapter shall contain a provision that such bonds shall be subject to redemption not later than five years from date of such bonds or six months after the first date on which the bonds to be refunded may be redeemed, whichever is later. If more than one issue or series of bonds are being refunded by a single issue or series of advance refunding bonds, such advance refunding bonds must be subject to redemption not later than five years from date of issue or six months after the first date on which the series or issue of bonds being refunded having the latest first redemption date may be redeemed. The governing body may fix any redemption premium or premiums as it may in its discretion determine advisable.

Sec. 4. Section 7, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.060 are each amended to read as follows:

Prior to the application of the proceeds derived from the sale of advance refunding bonds to the purposes for which such bonds shall have been issued, such proceeds, together with any other funds the governing body may set aside for the payment of the bonds to be refunded, may be invested and reinvested only in [direct] *government* obligations [of the United States of America] maturing or having guaranteed redemption prices at the option of the holder at such time or times as may be required to provide funds sufficient to pay principal, interest and redemption premiums, if any, in accordance with the advance refunding plan. To the extent incidental expenses have been capitalized, such bond proceeds may be used to defray such expenses.

Sec. 5. Section 8, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.070 are each amended to read as follows:

The governing body may contract with respect to the safekeeping and application of the advance refunding bond proceeds and other funds included therewith and the income therefrom *including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the state of Washington.* The governing body may provide in the refunding plan that until such moneys are required to redeem or retire the *general obligation or revenue* bonds to be refunded, the refunding bond proceeds and other funds, and the income therefrom shall be used to pay and secure the payment of the principal of and interest on the advance refunding bonds. The governing body may additionally pledge for the payment of such *revenue* refunding bonds any revenues which might legally be pledged for the payment of revenue bonds of the issuer of the type being refunded. Provisions must be made by the governing body for moneys sufficient in amount to accomplish the refunding as scheduled.

Sec. 6. Section 11, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.100 are each amended to read as follows:

[When funds and investments and the known earned income therefrom in amounts sufficient to pay the principal of and interest and any premium on general obligation bonds to be refunded as they become due at their respective maturities or at the date fixed for redemption have been irrevocably pledged to the general obligation bonds to be refunded, such bonds shall not constitute an indebtedness of the public body within the meaning of any constitutional or statutory debt limitation] *In computing indebtedness for the purpose of any constitutional or statutory debt limitation there shall be deducted from the amount of outstanding indebtedness the amounts of money and investments credited to or on deposit for general obligation bond retirement.*

*NEW SECTION.* Sec. 7. The state may issue general obligation bonds to refund any special revenue obligations of the state at or prior to the date they mature or are subject to redemption.

*NEW SECTION.* Sec. 8. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.”, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Francis, the Senate concurred in the House amendments to Senate Bill No. 2293.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2293, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Dore, Rasmussen, Talley, Walgren—4.

SENATE BILL NO. 2293, 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 HOUSE

April 2, 1973.

Mr. President: The House refuses to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 782, on page 4, section 3, line 16 of the engrossed bill, and again asks the Senate to recede therefrom., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Henry, the Senate refused to recede from the Senate amendment to Engrossed House Bill No. 782, and asks the House for a conference thereon.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2454, by Committee on Labor (originally sponsored by Senators Bottiger and Grant):

Amending the law regarding employment agencies.

On motion of Senator Mardesich, Substitute Senate Bill No. 2454 was made a special order of business immediately following the noon recess today.

#### MOTION

Senator Mardesich moved that the following bills be held on the second reading calendar for Thursday, April 5, 1973: Senate Bills 2762, 2134, 2046, 2518, 2366 and Engrossed House Bill No. 736.

POINT OF INQUIRY

Senator Woodall: "Would Senator Mardesich yield? Senate Bill No. 2366 has to do with a redistricting. Now I understand over in my area Senator Matson had to move out into a tent away from his home and his wife is there and she wants to come home to her house and they are pitched out there and I cannot see why we should delay this, because this learned gentleman who drew the lines cut through his farm and he put all of his acreage in one district but he put his home up with Nat Washington. As his wife does not want to live in Nat Washington's district, for which fact I can never blame her, they had to pitch a tent. So all this bill says is that Mrs. Matson can move back to her home. Mrs. Day can get back into her home. So I do not see any reason, why do we have to delay that particular one, Senator Mardesich?"

Senator Mardesich: "The answer is maybe. The problem is that they are still trying to achieve some agreement with respect to that measure. Apparently we are trying to get some agreement, not only with respect to Senate members which apparently we have, but also with respect to all House members and apparently there is one who seems a little reluctant. If he is reluctant Thursday, then I am afraid we will just have to handle the matter."

The motion by Senator Mardesich carried and the bills as mentioned previously were ordered placed on the second reading calendar for Thursday, April 5, 1973.

MOTION

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Thursday, April 5, 1973.

SECOND READING

ENGROSSED HOUSE BILL NO. 741, by Representatives Chatalas, Curtis, Swayze, Charette, Wojahn and Pardini:

Requiring continuing education for CPA's.

The bill was read the second time by sections.

On motion of Senator Grant, the rules were suspended, Engrossed House Bill No. 741 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

MOTION

On motion of Senator Day, Engrossed House Bill No. 741 was returned to second reading.

On motion of Senator Day, the following amendment was adopted:

On page 2, section 1, line 7 of both the printed and engrossed bills, after "act" and before the period insert "*PROVIDED, That this requirement may be waived by the board for good cause*".

POINT OF INQUIRY

Senator Peterson (Lowell): "Mr. President, I would like to address a question to Senator Woodall, if he will yield. I would like to say that this is the first time in ten years that I have dared to stand up on the floor and even ask a question of Senator Woodall, but it is my understanding from what knowledge I have of the bill, and I will have to admit not being a barrister I am perhaps not familiar with all of the intricate aspects, but I understand that the CPA's really want this bill. They feel that the profession needs it and I think without mentioning names of income tax people who prepare our income tax forms, I employ a CPA. I am sure you probably do too, but if they think that this is right for their industry and they are proposing it, why do you feel that it is objectionable from the standpoint of an industry trying to clean up their own house?"

Senator Woodall: "Number one, of course, I do not know who they are when you say they. They, as we always hear—it is an agreed bill, but no one says who agreed to it. Two people who want it agreed and then that makes it an agreed bill. Or they say they want it.

How many is they? Who are they? I do not know how to answer your question on that. I can only say that if you entrust a CPA to make your income tax report for you, cannot you also entrust the same guy to keep up with the books? Can't you entrust him to go back to school if he feels the need? Now we are not barring him from going back, but I am only objecting to mandating him because we will have to have the plumbers go for a course, we will have everybody going back for a special course of some kind and it is only because people feel that by so doing it they are running certain other people out. But when Doctor Day goes back for a refresher course at Palmer to get the latest twists and turns of his profession, he does it voluntarily and I will never mandate him to do it because if I did, I would be afraid to go upstairs."

#### POINT OF INQUIRY

Senator Day: "I would like to ask Senator Grant to yield to a question. Senator Grant, why did you delete the language in subsection 8 of section 2? Why is that deleted in the bill? That is relative to citizenship. Was there some specific reason for that?"

Senator Grant: "I think you are probably asking the wrong person the question, Senator Day. I am not a sponsor of the measure. I am not on the Commerce Committee."

Senator Day: "It is a House bill. Is there anyone here who can answer that question? Senator Greive, could you answer that question?"

Senator Greive: "Yes, what is the problem?"

Senator Day: "Subsection 8 of section 2 strikes out the requirement that in a period of six years that anyone who receives a certificate must acquire citizenship."

Senator Greive: "Yes, Senator Atwood has just given me the answer. In the Committee it was explained that we did not feel that we could, under the Constitution, make such a requirement. At least that was the way it was explained to us."

Senator Day: "You mean that the Constitution extends and protects non-citizens as well as citizens?"

Senator Greive: "Put it this way. There was very little discussion on this point but that was the explanation given. Now it could be that there is an error. We just listened to the testimony and that was the only other discussion made, that we had a constitutional problem on that, and the rest of it all revolved around the various things that have been discussed on the floor. It is a question of philosophy and I can see Senator Woodall's position. I could be on that side, I could be on this side. I just chose to be on this side. I do not feel very strongly."

Senator Atwood: "Mr. President and gentlemen of the Senate, it is unconstitutional. There was a case that came down from our Supreme Court on the requirement that whoever takes the Bar Association has to be a citizen and they threw out the requirement. You cannot make that a requirement as admission to a profession."

Senator Day: "Senator Atwood, would that apply to all professions or what is the distinction?"

Senator Atwood: "I think it applies to all professions, that it cannot be a requirement."

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Day yield? Would you also go for an amendment that keeps his place of learning in the state of Washington?"

Senator Day: "I would not see any objection to that. I would say that in answer to that that when Senator Atwood was discussing this a minute ago, that it would not be a matter of mandating that they go out of the state. I do not think that would hold up in court myself, but I am not a lawyer, but I would say that it would be that they would provide a place out of state for the tax write-off, Senator. I doubt seriously if the board would authorize such an educational symposium if it were the only one, outside of the state somewhere, but I do not think that would hurt the bill."



On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 741, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 741, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Sellar, Stortini, Twigg, Walgren, Wanamaker, Whetzel, Woody—34.

Voting nay: Senators Canfield, Durkan, Fleming, Francis, Guess, Mattingly, Odegaard, Rasmussen, Sandison, Van Hollebeke, Washington, Woodall—12.

Absent or not voting: Senators Lewis (Harry), Mardesich, Talley—3.

ENGROSSED HOUSE BILL NO. 741, 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.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 2264, by Committee on Transportation and Utilities (originally sponsored by Senators Guess and Henry):

Requiring certain suspension systems on motor vehicles.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2264, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senator Matson—1.

Absent or not voting: Senators Durkan, Grant, Henry, Lewis (Harry), Mardesich—5.

SUBSTITUTE SENATE BILL NO. 2264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE CONCURRENT RESOLUTION NO. 127, by Senators Gardner, Walgren and Jones:

Mandating study to develop procedure for screening certain children with learning disabilities.

The resolution was read the second time in full.

On motion of Senator Gardner, the following amendment was adopted:

On page 1, line 6, strike "deficit" and insert "deficient".

On motion of Senator Gardner, Engrossed Senate Concurrent Resolution No. 127 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 127, and the resolution passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Grant, Lewis (Harry), Mardesich—3.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Day, Senate Bill No. 2528 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

#### SECOND READING

HOUSE JOINT MEMORIAL NO. 9, by Representatives Parker, Cunningham, Wilson and Warnke (by Secretary of State request):

Requesting the Congress to help Dr. Pat Smith continue her program in Vietnam.

The memorial was read the second time in full.

On motion of Senator Day, House Joint Memorial No. 9 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 9, and the memorial passed the Senate by the following vote: Yeas, 35; nays, 10; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Marsh, Mattingly, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—35.

Voting nay: Senators Canfield, Clarke, Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Scott, Twigg, Woodall—10.

Absent or not voting: Senators Durkan, Greive, Lewis (Harry), Wanamaker—4.

HOUSE JOINT MEMORIAL NO. 9, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2835, by Senators Rasmussen, Gardner and Peterson (Ted):

Authorizing an additional method for the disposition of certain property owned by municipal utilities.

## REPORT OF STANDING COMMITTEE

March 22, 1973.

SENATE BILL NO. 2835, authorizing an additional method for the disposition of certain property owned by municipal utilities (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 7, after "any" and before "lands" strike "unimproved".

In section 1, line 7 after "lands," and before "property" strike "unusable".

In section 1, line 11, after "resolution" and before "may" insert "and after a public hearing".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Talley, Whetzel.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments to section 1, line 7, were adopted.

Senator Rasmussen moved adoption of the committee amendment to section 1, line 11.

## POINT OF INQUIRY

Senator Canfield: "Will Senator Rasmussen yield? Senator, what is the object of a public hearing if there are no strings attached to the hearing? They just hold a hearing but the decision is not contingent upon the hearing?"

Senator Rasmussen: "This is right, but the sale of this property is a little bit more difficult. You hold a public hearing to make the public aware of what is sold or going to be sold and then the Public Utility Board must pass a resolution saying that they are going to sell it and then it must go before the city council for approval. At each stage of the game it has a hearing."

Senator Canfield: "Senator Rasmussen, I was concerned that whether or not we are getting into a policy whereby a public body can dispose of anything they deem surplus without the people having any voice in it and you do not have to put it up for bid, you just have to hold a hearing. You do not have any bid. Now I know that you are an experienced administrator and I am wondering if the city of Tacoma, while you were mayor, could sell off unimproved land or what not without a bid, just on a hearing. Do you think that is good government or not?"

Senator Rasmussen: "Quite frequently you do sell land, surplus tax properties, and it comes before the city council and there everybody has a chance to appear. I think Senator Guess has an additional amendment that he is going to offer."

The motion by Senator Rasmussen carried and the committee amendment to section 1, line 11, was adopted.

Senator Guess moved adoption of the following amendment:

On page 1, add a new section following section 1 as follows:

"**NEW SECTION.** Sec. 2. In the event that the property contained in section one of this act is real property (including lands, improvements thereon, and any interests or estates) and such real property is to be sold, the following additional procedures shall be followed: A written notice particularly describing the property to be sold and the time and place of the sale shall be posted in three public places in the city where the sale is to take place, for a period of not less than four weeks prior to the date of the proposed sale. Further, there shall be notice of the proposed sale published in a display advertisement of no less than two column by two inch or one column by four inch size in any daily or weekly legal newspaper of general circulation published in the county in which the real property to be sold is situated. This advertisement shall appear in the legal notices section and the real estate classified section. This publication shall appear for a period of not less than four weeks prior to the proposed sale and the notice shall particularly describe the property to be sold and the time and place of the proposed sale: PROVIDED, That if there is no legal newspaper published in this county, then such notice shall be published in the legal newspaper published in this state nearest to the place of sale."

## POINT OF INQUIRY

Senator Walgren: "Would Senator Guess yield to a question please? Senator Guess, as I read this language, 'this publication shall appear for a period of not less than four weeks prior to the proposed sale and the notice shall particularly describe,' and so on, what do you mean by that? Does it have to be published every day or is it just published once every week for four weeks or what?"

Senator Guess: "Every week for four weeks."

Senator Walgren: "I do not think that language says that."

Senator Guess: "It says, 'for a period of not less than,'—'the advertisement shall appear in the legal notice section and the real estate classified section. Publication shall appear for a period of not less than four weeks prior to the proposed sale.' 'For a period of not less than one time in each of the four weeks.' Would that solve the situation?"

Senator Walgren: "If that is the intent, I think some language like that has to correct it."

Senator Guess moved adoption of the following amendment to the amendment:

On line 13 of the amendment, after "appear" and before "for" insert "weekly".

Debate ensued.

## MOTION

On motion of Senator Bottiger, Senate Bill No. 2835, as amended, together with the pending amendment and amendment to the amendment by Senator Guess, was ordered held at the end of today's second reading calendar.

## SECOND READING

SENATE BILL NO. 2300, by Senators Woody, Clarke and Van Hollebeke:  
Permitting use of electronic data processing system in selecting juries.

## REPORT OF STANDING COMMITTEE

March 28, 1973.

SENATE BILL NO. 2300, permitting use of electronic data processing system in selecting juries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 26, after the period strike all matter down through line 27.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Greive, Twig, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

On motion of Senator Francis, Engrossed Senate Bill No. 2300 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2300, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twig, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Durkan, Fleming, Lewis (Harry), Mardesich—4.

ENGROSSED SENATE BILL NO. 2300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 84, by Representatives Barden, Bagnariol, Eikenberry, Curtis and Paris (by Joint Committee on Governmental Cooperation and State Treasurer request):

Establishing trust fund for funds not in state treasury but in custody of state treasurer.

The bill was read the second time by sections.

On motion of Senator Rasmussen, Reengrossed House Bill No. 84 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed House Bill No. 84, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Absent or not voting: Senators Connor, Donohue, Durkan, Francis, Lewis (Harry), Mardesich—6.

REENGROSSED 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.

SENATE BILL NO. 2890, by Senator Odegaard:

Setting forth rights to property utilized by the Southwest Washington fair and transferring certain property.

The bill was read the second time by sections.

On motion of Senator Odegaard, Senate Bill No. 2890 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2890, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Gardner—1.

SENATE BILL NO. 2890, having received the 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. 589, by Committee on Commerce (originally sponsored by Representatives Bagnariol, Curtis, Morrison, Jastad, Swayze, Wojahn and Gilleland):

Regulating collection agencies.

The bill was read the second time by sections.

On motion of Senator Greive, Substitute House Bill No. 589 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Greive yield? You say 'crime'. Is that any crime or is it crimes involving theft or something along with property? I am thinking of negligent homicide. Now the fact a person may have committed that particular offense does not necessarily render him objectionable to run a collection—as a matter of fact, some ex-cons might be very capable collectors."

Senator Greive: "Here is what it says, the exact provision is on page 2, line 28, 'has been convicted in any court of any felony involving forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, or conspiracy to defraud and is incarcerated for that offense or five years have not elapsed since the date of such conviction', so what it probably means is that the person who has been in trouble may, but there are all kinds of other provisions in here that would mean that the board itself probably would refuse to accept the person as a collector. In other words, they probably would never get a license but it does mean that there may be some extenuating circumstances in one of these cases to where a person would be eligible after five years."

Senator Woodall: "One other question. Would a young attorney starting out have to have a five thousand dollar bank account to take a case to collect?"

Senator Greive: "No, this has provisions where you are collecting directly for a client or a person collecting themselves, they do not have a problem. This is only if they hold themselves out as an agency, and it merely provides that if they do not have a license and they do make a collection they cannot take a fee. So the lawyer, number one, would be exempt, and the person could make all of his own collections."

Senator Woodall: "Obviously a person can make his own, you are sure the young practicing attorney starting out is exempt?"

Senator Greive: "That is my understanding of the bill. That has not been asked me before. I would want to look through, but this is the way it was explained before the committee."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 589, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Day, Guess—2.

SUBSTITUTE HOUSE BILL NO. 589, having received the 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 Senator Walgren, Senate Bill No. 2144 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

#### SECOND READING

SENATE BILL NO. 2739, by Senators Donohue, Lewis (Harry) and Sandison:

Relating to state colleges and universities.

MOTIONS

On motion of Senator Sandison, Substitute Senate Bill No. 2739 was substituted for Senate Bill No. 2739 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Sandison, Substitute Senate Bill No. 2739 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2739, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Newschwander, Scott—2.

SUBSTITUTE SENATE BILL NO. 2739, having received the 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. 2736, by Senator Marsh:

Relating to the theft and illegal use of cable communication services.

MOTIONS

On motion of Senator Marsh, Substitute Senate Bill No. 2736 was substituted for Senate Bill No. 2736, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Marsh, the rules were suspended, Substitute Senate Bill No. 2736 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2736, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Atwood, Scott—2.

SUBSTITUTE SENATE BILL NO. 2736, having received the 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. 2584, by Senators Odegaard and Talley:

Fixing compensation of diking district commissioners for labor other than attendance at meetings.

## REPORT OF STANDING COMMITTEE

March 22, 1973.

SENATE BILL NO. 2584, fixing compensation of diking district commissioners for labor other than attendance at meetings (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 12, after "duties" and before the period insert: "*PROVIDED, That such compensation shall not exceed one thousand dollars in one calendar year, except when the commissioners declare an emergency*".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Jolly, Lewis (Bob), Murray, Talley.

The bill was read the second time by sections.

On motion of Senator Odegaard, the committee amendment was adopted.

On motion of Senator Odegaard, the rules were suspended, Engrossed Senate Bill No. 2584 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2584, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-46.

Voting nay: Senator Atwood-1.

Absent or not voting: Senators Durkan, Scott-2.

ENGROSSED SENATE BILL NO. 2584, having received the 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. 2614, by Senators Whetzel, Clarke and Woody:

Specifying a rate classification for inheritance taxation.

## REPORT OF STANDING COMMITTEE

March 29, 1973.

SENATE BILL NO. 2614, specifying a rate classification for inheritance taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 4, after "Section 1." strike the remainder of the bill and insert: "There is added to chapter 83.16 RCW a new section to read as follows:

When the estate consists of a trust with a life estate in the surviving spouse and a remainder and the surviving spouse has the power to invade the corpus of the trust and where payment of a tax has been deferred on the beneficial interest in a remainder pursuant to RCW 83.16.020, the surviving spouse shall receive a reduction of the deferred tax and a reduction of the bond or return of security filed to the extent the surviving spouse by exercise of the power to invade the corpus reduces the remainder. The surviving spouse may not file a claim for such reduction with the department more often than once each calendar year. The amount of the reduction shall be determined by applying to the value of the remainder interest at date of death a fraction the numerator of which is the present amount of the reduction of the remainder and denominator of which is the present amount of the remainder."



In line 2 of the title before "RCW." strike "83.08" and insert "83.16".

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman, Odegaard, Vice Chairman; Canfield, Gardner, Grant, Metcalf, Newschwander, Ridder, Scott.

The bill was read the second time by sections.

Senator Whetzel moved adoption of the committee amendment.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Whetzel yield? Do I take it what you are saying is this, that if the money had gone to the nieces and nephews it would have been at a lower rate, but because the widow took it and used it, you want her to use it at the same rate that it would have been had it been willed to her in the first place instead of being willed to the nieces and nephews? Is that what you are saying?"

Senator Whetzel: "I think you are essentially correct. I think you said the nephews and nieces get it at a lower rate. They get it at a higher tax."

Senator Woodall: "A higher rate, yes."

Senator Whetzel: "That is right. So what we are doing, ending up, we are taxing the people who actually receive the money rather than under who might receive the money and who do not receive it. In this case no one pays, if this bill passes, if this amendment is adopted, the people who receive the money; if the widow receives it she pays her rate, and if some of it is left and is received by the nephews and nieces, they pay their rate."

Senator Woodall: "So because the widow took it away from the nieces and the nephews who would have paid higher taxes to the state, you want her to pay lower taxes to the state?"

Senator Whetzel: "That is right, pay the tax that she would have paid as if she had received it outright."

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Whetzel yield to another question? Senator Whetzel, when you began your talk you said that this was a case of where a person was being taxed, a widow, for something she did not receive. There are several bills in the Judiciary now, or they may be in Ways and Means, where the widow is being taxed or the widower, for a pension that they may never live to receive."

Senator Whetzel: "Yes."

Senator Rasmussen: "Would not this fit on that bill as an amendment?"

Senator Whetzel: "No, you know I am very much in favor of eliminating that problem, Senator. I have sponsored one of those bills. This is a little different situation and they are not quite the same. This is a case where the remainder person pays the tax on something that they never received. In effect it does not come out of the pockets of the nephews or nieces, it is a deduction from the estate. The widow is paying a higher rate on the assumption that one of the nephews or nieces will receive something, which they never do."

Senator Rasmussen: "I know, I am aware of this. My only question was if we could not attach that other bill onto this as an amendment."

Senator Whetzel: "I think it would be a good amendment, but I think the President would probably say it does slightly enlarge the scope and object."

Senator Rasmussen: "Let us hope the other bill comes out."

The motion by Senator Whetzel carried and the committee amendment was adopted.

On motion of Senator Whetzel, the committee amendment to the title was adopted.

On motion of Senator Whetzel, Engrossed Senate Bill No. 2614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2614, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Ridder—1.

ENGROSSED SENATE BILL NO. 2614, having received the constitutional 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. 460, by Representatives Lysen, North (Lois) and Douthwaite:

Authorizing mayors to designate a representative to fill their position on municipal firemen's pension boards.

The bill was read the second time by sections.

On motion of Senator Fleming, Engrossed House Bill No. 460 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 460, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Grant, Rasmussen—2.

ENGROSSED HOUSE BILL NO. 460, having received the 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 PRESIDENT

The President signed:

SENATE BILL NO. 2293.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 123, by Representatives North (Lois) and Haussler: Empowering mayor of first class city to appoint a designee to his seat on the police pension board.

#### REPORT OF STANDING COMMITTEE

February 27, 1973.

ENGROSSED HOUSE BILL NO. 123, empowering mayor of first class city to appoint a designee to his seat on the police pension board (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11 of the engrossed bill, being the House committee amendment, strike "*who shall be an elected official of the city*".

On page 1, section 1, line 12 of the printed bill, being line 13 of the engrossed bill, after "council" and before "of each" insert "*or mayor pro tem*".

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Walgren, Whetzel.

The bill was read the second time by sections.

#### MOTION

Senator Fleming moved that the committee amendment to page 1, section 1, line 11, not be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Fleming yield? Senator, I noticed in the bill we just passed, in the title, and I have not read the bill in depth, but the title of the bill we just passed on firemen where it said 'authorizing mayors to designate a representative', now this one said, 'empowering mayor of first class cities.' Now was the one broader than this one? If one authorizes mayors generally, should not the other one authorize mayors generally?"

Senator Fleming: "Senator Woodall, on the other bill there was an amendment to make—the bill was originally drawn up for Seattle, and the amendment made it cover all first class cities. The other bill we just passed."

Senator Woodall: "Should it be limited to first or do second class have the same problem?"

Senator Fleming: "One of the things we felt, in the larger cities the mayors are quite busy and as I indicated before, the number of meetings that they held, say for instance in Seattle last year, and the mayor was only able to attend two meetings. It was the feeling that in the smaller cities the mayor probably would be in a better position to attend more of these meetings than he would in the larger cities. This is what the testimony was."

Senator Woodall: "Well, in the smaller cities he is probably more poorly compensated than he is in the larger ones and he might be more inclined to want to name someone. It would seem to me that you should have an amendment that broadens it and allows mayors of other cities to designate someone to set in for them."

Senator Fleming: "Senator Woodall, the Association of Washington Cities and other people were there at the meeting and testified and they did not see any need to do this, and so that is one reason why we did not broaden it."

Senator Atwood: "In response to Senator Woodall's inquiry, the only ones that have the police pension boards are the first class cities, Senator. Those second and third class cities do not have the same type of pension board which this bill is amending. I served on a police pension board as a council member. The mayor very often does not have the time to attend but that is the reason it is not inclusive of all the second and third and fourth class cities."

The motion by Senator Fleming carried and the committee amendment to page 1, section 1, line 11 was not adopted.

On motion of Senator Fleming, the committee amendment to page 1, section 1, line 12 of the printed bill, being line 13 of the engrossed bill, was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 123, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 123, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Rasmussen—1.

Absent or not voting: Senators Donohue, Grant—2.

ENGROSSED HOUSE BILL NO. 123, 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 BILL NO. 2374, by Senators Gardner, Murray and Peterson (Ted):

Authorizing certain tidelands and shorelands to be given to public entities solely for park and recreational purposes.

#### MOTIONS

On motion of Senator Gardner, Substitute Senate Bill No. 2374 was substituted for Senate Bill No. 2374 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Scott, Senator Whetzel was excused.

On motion of Senator Canfield, the following amendments were adopted:

On page 1, section 1, line 18, after "county" and before "for" insert "solely".

On page 1, section 1, line 23, after "shorelands" and before "for" insert "solely".

On motion of Senator Gardner, the following amendment was adopted:

On page 2, section 2, line 14, beginning with "[Whenever" strike all the material down to and including "purposes.]" on line 32 and insert:

"Whenever application is made to the commissioner of public lands by any incorporated city, [or] town, [or metropolitan park district] or county for [the use] conveyance by deed or lease of any state owned tide or shore lands within the corporate limits of said city or town [or metropolitan park district] or county for [municipal] park and/or playground purposes, he shall cause such application to be entered in the records of his office, and shall then [forward the same to the governor, who shall appoint a committee of five representative citizens of said city or town, in addition to the commissioner of public lands and the director of conservation and development, both of whom shall be ex-officio members of said committee, to] investigate said lands and determine whether they are suitable and needed for such purposes; and, if [they] he so [find] finds, the land commissioner shall [certify to the governor that the property shall be deeded to the said city or town or metropolitan park district and the governor shall] then execute a deed or lease in the name of the state of Washington [, attested by the secretary of state,] conveying the use of such lands to said city, [or] town, [or metropolitan park district] or county for said purposes [for so long as it shall continue to hold, use and maintain said lands for such purposes]."

*The department of natural resources shall examine the conveying instruments of all lands transferred pursuant to the provisions of this section prior to the effective date of this act and shall determine whether or not the transferee is presently complying with any special provisions contained in such conveying instruments. If the transferee is not presently complying, the department of natural resources shall exercise any powers of reversion contained in such conveying instruments and shall, with regard to all such lands, seek the reversion of title to the state."*

On motion of Senator Woody, the rules were suspended, Engrossed Substitute Senate Bill No. 2374 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2374, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senator Odegaard—1.

Absent or not voting: Senator Durkan—1.

Excused: Senator Whetzel—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2374, having received the 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. 6, by Representatives Wojahn, Kelley and McCormick (by Governor's Task Force on Aging request):

Requesting earnings limitation on social security recipients be raised.

The memorial was read the second time in full.

On motion of Senator Day, the rules were suspended, House Joint Memorial No. 6 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 6, and the memorial passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—48.

Excused: Senator Whetzel—1.

HOUSE JOINT MEMORIAL NO. 6, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE JOINT MEMORIAL NO. 10, by Representatives Matthews, Charnley, Eng and Nelson (by Governor's Task Force on Aging request):

Requesting Congress to take action on health care services for the elderly.

The memorial was read the second time in full.

On motion of Senator Day, Engrossed House Joint Memorial No. 10 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

POINT OF INQUIRY

Senator Canfield: "Would Senator Day yield? Senator, in reading over this memorial, there are a number of whereases and they relate to health care for elderly persons, but when you get down to line 22 we are in a different ball game. Line 22 states that good health care is a basic right of all persons, and should be readily accessible to everyone. And then it further requests that the Congress develop a national comprehensive health system. Now I am concerned about that because I recall an article I read some time ago, a proposal by

Senator Edward Kennedy, I believe, on a national comprehensive health system for all persons and a preliminary cost estimate was thirty billion dollars the first year. And so I am concerned about what this resolution means. Does it mean just more health concern for the elderly, or are we endorsing a national federally financed health care program from the cradle to the grave for all persons?"

Senator Day: "No, Senator, I think what it says is that it enumerates that health care is the right of all people and that certainly elderly people are a part of that all-encompassing group and that this is directed to elderly people. I would also correct the thirty million figure. It is probably thirty billion. Did you say thirty billion?"

Senator Canfield: "I intended to. I do not deal in millions. I intended to say thirty billion."

Senator Day: "Right. Well, I would agree with you that there are many holes in Senator Kennedy's program and we will try to plug those up before they pass such a thing. I would also say that although some type of additional health care program may be promulgated by the Congress that in my mind it will be very difficult to implement such a program until such time as we recognize some of the components of the present system. They are not going to knock all of the insurers in the United States out of business in one bill, in my opinion. I do not think that is going to happen. It would have a tremendous impact on employment within that insuring industry and I think that they are going to have to work out some kind of a compromise situation which allows people to participate in supplementing a program and which allows the present systems of payment to participate therein. But this particular memorial, as I understand it, directs itself strictly to the extension of additional services where needed to the elderly."

Senator Canfield: "Senator Day, I understand what you said but I want to direct your attention again to lines 22 and 23 stating that good health care is a basic right of all persons and should be readily accessible to everyone. Now that was the thrust of my question and I think when we talk about care of the elderly, why we are talking about a different thing, and I am not quite satisfied that we are not endorsing a very comprehensive health care program for everyone because that is what this says."

#### MOTION

On motion of Senator Woodall, Engrossed House Joint Memorial No. 10 was ordered held on the third reading calendar for Wednesday, April 4, 1973.

#### MOTION

On motion of Senator Talley, the following resolution was adopted:

#### SENATE RESOLUTION 1973-60

By Senators Talley, Odegaard and Bailey:

WHEREAS, The Port of Longview is a vital and integral segment of the economy of the State of Washington; conducting some seventy million dollars of business each year; and

WHEREAS, The proposed elimination of Longview and Astoria as United States Customs Ports of entry for cargo vessels on the Columbia River would seriously restrict and decrease the level of business at these ports; and

WHEREAS, Such proposed status change would leave Portland, Oregon, as the sole port of entry for freighters on the Columbia River; and

WHEREAS, Such action would confuse and discourage shippers wishing to dock at Longview; and

WHEREAS, There exists a substantial public investment in port facilities and equipment at Longview;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That such proposed change of status of Columbia River ports be firmly protested and opposed, and that the United States Commissioner of Customs be urged to reconsider such proposal.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to the President of the United States, 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.

#### MOTION

At 12:00 noon, on motion of Senator Mardesich, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

There being no objection, the Senate returned to the sixth order of business.

#### SPECIAL ORDER OF BUSINESS

SUBSTITUTE SENATE BILL NO. 2454, by Committee on Labor (originally sponsored by Senators Bottiger and Grant):

Amending the law regarding employment agencies.

The time having arrived, the Senate resumed consideration of Substitute Senate Bill No. 2454 on second reading, having been returned from third reading and held on second reading on Saturday, March 31, 1973.

Senator Keefe moved adoption of the following amendment:

On page 2, section 1, line 1, strike "*theatrical employment agency*".

#### MOTION

Senator Woodall moved that further consideration of Substitute Senate Bill No. 2454, together with the amendment proposed by Senator Keefe, be held for Wednesday, April 4, 1973.

Debate ensued.

#### POINT OF ORDER

Senator Woodall: "My point of order is my motion was to hold it one day so Senator Keefe could perfect an amendment exempting theatrical agencies and booking agents from the act."

#### MOTION

On motion of Senator Bottiger, Substitute Senate Bill No. 2454, together with the amendment proposed by Senator Keefe, was ordered placed at the beginning of the second reading calendar for Wednesday, April 4, 1973 as a special order of business.

#### SECOND READING

HOUSE JOINT MEMORIAL NO. 14, by Representatives Chatalas, Bausch, Hendricks, Zimmerman, Conner, Ceccarelli, Beck, Adams, Williams, Thompson, Rabel, Luders, Douthwaite, Lysen, Barden, Kraabel, King, North (Lois), Blair, O'Brien and Charnley:

Providing funding for the wildlife refuge on the Nisqually Delta.

The memorial was read the second time in full.

On motion of Senator Peterson (Lowell), House Joint Memorial No. 14 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

## POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Lewis yield please? Senator Lewis, in committee this was discussed but I think for the Journal it should be clarified because the bill or the memorial does not specify that the intent of this resolution is devoted exclusively to the Brown farm and not the surrounding areas that are now in commercial use as other farm land and uses. Is this correct?"

Senator Lewis (Harry): "That is absolutely correct, Senator Peterson. It is principally the area inside the ownership of the Game Department bounded by dikes which show on maps, and we are talking specifically and only about the Brown farm itself and the acquisition of that large area for preservation. And we are not describing or urging purchase of other lands at this time in the Nisqually Delta area."

Senator Peterson (Lowell): "Thank you, Senator."

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 14, and the memorial passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Absent or not voting: Senators Connor, Mardesich, Matson, Mattingly, Peterson (Ted), Talley—6.

Excused: Senator Whetzel—1.

HOUSE JOINT MEMORIAL NO. 14, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2672, by Senators Durkan and Atwood (by Office of Program Planning and Fiscal Management request):

Establishing a federal revenue sharing trust fund.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 2672 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2672, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Connor, Durkan, Mattingly, Peterson (Ted), Talley—5.

Excused: Senator Whetzel—1.

SENATE BILL NO. 2672, having received the 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. 2697, by Senators Washington and Gardner (by Lieutenant Governor request):

Placing certain appointed public officials under financial disclosure requirements.



## REPORT OF STANDING COMMITTEE

March 23, 1973.

SENATE BILL NO. 2697, placing certain appointed public officials under financial disclosure requirements (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 6, after "in" and before "2" strike "sections 1 and" and insert "section".

On page 1, section 2, line 18, after "chapter" and before "RCW" strike "47.12" and insert "42.17".

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were not adopted.

Senator Washington moved adoption of the following amendment:

On page 1, section 1, line 4, after "Section 1." strike all of the material down to but not including the period on line 16 and insert:

"Section 2, chapter 150, Laws of 1965 ex. sess. as amended by section 106, chapter 81, Laws of 1971 and RCW 42.21.020 are each hereby amended to read as follows:

(1) "Public official" means every person holding a position of public trust in or under an executive, legislative or judicial office of the state and includes judges of the superior court, the court of appeals, and justices of the supreme court, members of the legislature together with the secretary and sergeant at arms of the senate and the clerk and the sergeant at arms of the house of representatives, elective and appointive state officials and such employees of the supreme court, of the legislature, and of the state offices as are engaged in supervisory, policy making or policy enforcing work.

(2) "Appointed public official" or "appointed official" means and includes every person who holds any state, county, city, special district, or other state political subdivision appointive position whose appointment thereto is subject to confirmation by the legislative authority or other governing body of the state, county, city, special district, or other political subdivision of the state: PROVIDED, That the city, special district or other state political subdivision must contain a population of thirty thousand or more people.

(3) "Candidate" means any individual who declares himself to be a candidate for an elective office and who if elected thereto would meet the definition of public official herein set forth.

(4) "Regulatory agency" means any state board, commission, department or officer authorized by law to make rules or to adjudicate contested cases except those in the legislative or judicial branches.

Senator Woodall moved adoption of the following amendment to the amendment by Senator Washington:

Amend line 9 of subsection (2) of the Washington amendment to page 1, section 1, line 4, as follows:

After "contain" strike the balance of the subsection and insert "at least five thousand registered voters as of the last general election in such subdivision".

## POINT OF INQUIRY

Senator Van Hollebeke: "Will Senator Washington yield? Senator Washington, I do not think you have gotten to the point that is bothering me here. You have said it gets it down to a reasonable number and I do not think you have given us any reason why this should be limited at all. If disclosure is good, why is it not good for all? Why is it good for somebody representing a local body of fifty thousand and not for somebody representing a small one?"

Senator Washington: "I think it is a matter when we are going into a newer area, into the area of appointed public officials, I see no need to expand it as far as Initiative 276 did. I think most of you feel that 276 went too far. Why are you going to perpetuate that same error when we are passing a law on the floor of this Senate that you are objecting to on the part of those who drafted 276? I was active in 276, but if I had drafted it myself and I

recommended the population figure be substantially larger. I recommended a figure in this neighborhood. And I just feel that that would have been a better figure all along to have used, so when I put in a bill myself I followed what I felt would have been reasonable in the first place. I do not think we need to follow what was done in the initiative."

Senator Van Hollebeke: "I still do not think you have given the reasoning. Why should we not have a disclosure on the part of any of them?"

Senator Washington: "I think possibly after we have gotten into the field you may find that you want to go that far. I personally feel that we have so many smaller districts that it just brings too many people under the bill. That is my reasoning. If you do not care for it, if you want more people to be under it, you will vote against it. That is my reasoning."

#### POINT OF INQUIRY

Senator Dore: "Will Senator Washington yield to a question? What are the mechanics of how this population limitation works? Does it apply to the body you represent or your residency where you live?"

Senator Washington: "It would apply to . . ."

Senator Dore: "In other words, if I lived in Moses Lake and became a member of the Board of Regents of the University of Washington, would I have to disclose? Would I be governed by the population of Moses Lake or governed by . . .?"

Senator Washington: "You would be representing an agency of the state and, of course, the population of the state of Washington is substantially over that."

Senator Dore: "I read it several times. I just wanted to make sure. That is why I asked on the record. It is the body itself, the city, county or state and not the residency of the city, town or county where the party lives?"

Senator Washington: "No, certainly it is not tied to the residence of the official."

Debate ensued.

Senator Washington demanded a roll call and the demand was sustained by Senators Greive, Rasmussen, Grant, Metcalf, Van Hollebeke, Knoblauch, Jones, Marsh and Atwood.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Woodall to the amendment by Senator Washington was adopted by the following vote: Yeas, 31; nays, 14; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Donohue, Dore, Francis, Greive, Guess, Henry, Herr, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall—31.

Voting nay: Senators Bottiger, Clarke, Connor, Gardner, Grant, Jolly, Jones, Knoblauch, Matson, Murray, Scott, Sellar, Washington, Woody—14.

Absent or not voting: Senators Day, Durkan, Fleming—3.

Excused: Senator Whetzel—1.

The motion by Senator Washington carried and the amendment, as amended, was adopted.

On motion of Senator Washington, the following amendments were adopted:

On page 1, section 2, line 17, after "chapter" strike all of the material down to and including "47.12" on line 18 and insert "42.21".

On page 1, section 2, line 21, strike "commission" and insert "secretary of state".

On motion of Senator Washington, the following amendment to the title was adopted:

On page 1, line 1 of the title, after the semicolon strike all of the material down to and including "RCW" on line 2 and insert "amending section 2, chapter 150, Laws of 1965 ex. sess. as amended by section 106, chapter 81, Laws of 1971 and RCW 42.21.020; and adding a new section to chapter 42.21 RCW".

MOTION

On motion of Senator Odegaard, Senate Bill No. 2697, as amended, was ordered held on the second reading calendar for Wednesday, April 4, 1973.

MOTION

At 2:30 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 3:35 p.m. There being no objection, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

April 3, 1973.

SENATE BILL NO. 2570, revising operation of the Washington state patrol retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Grant, Metcalf, Newschwander, Ridder, Scott.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2626, changing the laws relating to veterans' relief (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch.

Passed to Committee on Rules for second reading.

April 2, 1973.

SENATE BILL NO. 2839, prohibiting "giveaways" by financial institutions (reported by Committee on Financial Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 2839 be substituted therefor and the substitute bill do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

April 2, 1973.

SENATE BILL NO. 2897, increasing small loan company authority from one to five thousand dollars (reported by Committee on Financial Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 2897 be substituted therefor and the substitute bill do pass.

Signed by: Senators Clarke, Jones, Keefe, Newschwander, Walgren.

MINORITY recommendation: Do not pass.

Signed by: Senator Dore, Chairman.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2914, permitting the shorelines hearings board to adopt rules of practice and procedure (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Donohue, Murray, Stortini, Van Hollebeke, Whetzel.

Passed to Committee on Rules for second reading.

April 2, 1973.

HOUSE BILL NO. 252, providing for a deferred compensation program for state employees (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

April 3, 1973.

ENGROSSED HOUSE BILL NO. 753, permitting public assistance grants to certain high school students (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Social and Health Services.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Grant, Metcalf, Newschwander, Ridder, Scott.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 1047, regulating the interest rate upon public funds held as time deposits (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

#### RESUMING CONSIDERATION OF HOUSE MESSAGE

The Senate resumed consideration of the House Message on Engrossed Senate Concurrent Resolution No. 125 and the House amendments thereto which was read in the Senate on Saturday, March 31, 1973.

#### MOTION

On motion of Senator Mardesich, the Senate refused to concur in the House amendments to Engrossed Senate Concurrent Resolution No. 125, and asks the House to recede therefrom.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President announced that in the event a conference is necessary on Engrossed Senate Concurrent Resolution No. 125, that the following Senate members are appointed as members of the Conference Committee: Senators Bailey, Lewis (Harry) and Mardesich.

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### SECOND READING

SENATE BILL NO. 2835, by Senators Rasmussen, Gardner and Peterson (Ted):

Authorizing an additional method for the disposition of certain property owned by municipal utilities.

The Senate resumed consideration of Senate Bill No. 2835 and the pending amendment and amendment to the amendment proposed by Senator Guess previously today.

There being no objection, the amendments by Senator Guess were withdrawn.

Senator Guess moved adoption of the following amendment:

On page 1, add a new section following section 1 as follows:

**"NEW SECTION.** Sec. 2. In the event that the property contained in section one of this act is real property (including lands, improvements thereon, and any interests or estates) and such real property is to be sold, the following additional procedures shall be followed: A written notice particularly describing the property to be sold and the time and place of the sale shall be posted in three public places in the city where the sale is to take place, for a period of not less than four weeks prior to the date of the proposed sale. Further, there shall be notice of the proposed sale published in a display advertisement of no less than two column by two inch or one column by four inch size in any daily or weekly legal newspaper of general circulation published in the county in which the real property to be sold is situated. This advertisement shall appear in the legal notices section and the real estate classified section. This publication shall appear once a week for four consecutive weeks prior to the proposed sale and the notice shall particularly describe the property to be sold and the time and place of the proposed sale: **PROVIDED,** That if there is no legal newspaper published in this county, then such notice shall be published in the legal newspaper published in this state nearest to the place of sale."

On motion of Senator Rasmussen, the following amendment to the amendment by Senator Guess was adopted:

Following the last line of new section 2, added by the Guess amendment, add the following paragraph:

"Real property offered for sale but not sold, under the provisions of this section may be sold after advertisement, by negotiations."

The motion by Senator Guess carried and the amendment, as amended, was adopted.

On motion of Senator Rasmussen, Engrossed Senate Bill No. 2835 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2835, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-44.

Voting nay: Senators Atwood, Grant-2.

Absent or not voting: Senators Connor, Fleming-2.

Excused: Senator Whetzel-1.

ENGROSSED SENATE BILL NO. 2835, having received the 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. 119, by Representatives Flanagan, Moon, Bagnariol, Williams, Randall, Erickson, Hoggins and Van Dyk (by Permanent Property Tax Committee request):

Making the assessor's comparable sales data available to individuals protesting their property valuation.

#### REPORT OF STANDING COMMITTEE

March 22, 1973.

HOUSE BILL NO. 119, making the assessor's comparable sales data available to individuals protesting their property valuation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 23, after "who" and before "lists" strike "either".

On page 1, section 1, line 24, after "appeal" and before "shall" strike "or is required to provide them by the assessor".

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder.

The bill was read the second time by sections.

On motion of Senator Bottiger, the committee amendment to page 1, section 1, line 23 was adopted.

On motion of Senator Dore, the committee amendment to page 1, section 1, line 24 was adopted.

Senator Bottiger moved adoption of the following amendment:

On page 1, section 1, line 22, strike all of line 22 and insert "prior to the hearing on appeal or review".

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Would Senator Bottiger yield to a question? Senator Bottiger, how would the property owner who is appealing become aware of these new comparables? Ordinarily they just receive a notice, maybe two months ahead of time that your date is set for some time in August or September and you will appear there and you have already filed your appeal with comparables that you know of at that time."

Senator Bottiger: "Senator Rasmussen, this was the problem that we were faced with before the interim committee on property taxes. What we wrote, if you will read the whole bill, a taxpayer may ask the assessor, 'What comparables are you going to use on me at that hearing?' The bill says that the assessor has to give him the comparables. Now in our county the county assessor is doing this by administrative action but that is not true in all counties. The bill then says that if the assessor finds some new evidence that should be brought to the board of equalization, he can bring it but he has to give the taxpayer ten days' notice of this new list of comparables he might be using. Once the taxpayer has asked and received the list it cannot be changed on him unless the assessor gives him at least ten days' warning."

Senator Rasmussen: "This will be mailed to the property owner at his address then?"

Senator Bottiger: "If he has previously asked for a list of comparables, yes."

Senator Rasmussen: "You qualify that. Now if he has previously asked for a list of comparables, the average taxpayer probably does not know what a comparable is when he goes in and files his appeal."

Senator Bottiger: "I have to agree with you. Now rather than require the assessor to give every taxpayer a list of comparables, which would be extremely expensive, what we have said is that if the taxpayer asks for a list of comparables, he has to get them. They have to be given to him. If he appeals the assessor cannot use any other comparables than those given to the taxpayer and he cannot change it except on ten days' warning. Now that is what the bill does."

Debate ensued.

#### POINT OF INQUIRY

Senator Day: "Would Senator Bottiger yield? Senator Bottiger, does this make it easier for the taxpayer to comply with the requirements of having a review of his assessment?"

Senator Bottiger: "Senator Day, I think it does. It makes it fairer. I am not sure I can say easier, but it makes it more fair. I think it will also reduce the number of appeals. When the taxpayer who feels his assessment is too high goes to the assessor and gets the comparables and sees that other people are being taxed at the same rate and that the assessor used an intelligent method of arriving at the value of the property, I think many taxpayers will then be satisfied with the assessment. Probably be explained that they do not like it, but they agree that is the same that is happening to everybody else."

The motion by Senator Bottiger carried and the amendment was adopted.

On motion of Senator Dore, the following amendment by Senators Dore and Bottiger was adopted:

On page 2, section 1, line 3, after "proceedings" and before the period insert: "PROVIDED FURTHER, That the board of equalization may waive the requirements contained in the preceding proviso or allow the assessor a continuance of reasonable duration to check the comparables furnished by the taxpayer".

On motion of Senator Bottiger, House Bill No. 119, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 119, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—48.

Excused: Senator Whetzel—1.

HOUSE BILL NO. 119, 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

At 4:00 p.m., on motion of Senator Mardesich, the Senate recessed until 7:30 p.m.

#### EVENING SESSION

The President called the Senate to order at 7:30 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Henry, Keefe, Wanamaker and Whetzel. Senator Whetzel had previously been excused.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 123, by Senators Day and Keefe:

Memorializing Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex.

The memorial was read the second time in full.

On motion of Senator Mardesich, Senate Joint Memorial No. 123 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 123, and the memorial passed the Senate by the following vote: Yeas, 31; nays, 12; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Woody—31.

Voting nay: Senators Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Newschwander, Scott, Sellar, Twigg, Woodall—12.

Absent or not voting: Senators Durkan, Henry, Keefe, Wanamaker, Washington—5.

Excused: Senator Whetzel—1.

SENATE JOINT MEMORIAL NO. 123, having received the constitutional majority, was declared passed.

#### MOTIONS

On motion of Senator Mardesich, the following Senate Bills were ordered to hold their places on the second reading calendar for Wednesday, April 4, 1973: 2247, 2289 and Senate Joint Resolution No. 109.

#### SECOND READING

SENATE BILL NO. 2189, by Senators Francis and Twigg:

Providing that the personal representative may recover for pain and suffering on behalf of certain beneficiaries.

The bill was read the second time by sections.

On motion of Senator Francis, Senate Bill No. 2189 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2189, and the bill passed the Senate by the following vote: Yeas, 36; nays, 9; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—36.

Voting nay: Senators Bottiger, Clarke, Guess, Jones, Metcalf, Mattingly, Newschwander, Talley, Wanamaker—9.

Absent or not voting: Senators Durkan, Henry, Keefe—3.

Excused: Senator Whetzel—1.

SENATE BILL NO. 2189, having received the 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 Senator Woodall, Senate Bill No. 2189 was ordered immediately transmitted to the House.

#### MOTION

On motion of Senator Washington, Senate Bill No. 2456 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

#### SECOND READING

HOUSE BILL NO. 668, by Representatives Jastad, Kalich and Savage:  
Regulating factory built commercial structures.



The bill was read the second time by sections.

On motion of Senator Ridder, House Bill No. 668 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Guess: "Would Senator Ridder yield? Senator Ridder, there is a factory-built unit producing right close to where I work in Spokane and I have been by there a number of times and he has had to add on two people on his payroll to keep up with the paper work. Now is there any way that we can get the message to the Department of Labor and Industries that we want paper work cut to a minimum?"

Senator Ridder: "I think your question to me here on the floor and this putting it in the record I think should send somewhat of a message on it, if we could get them to read it."

Senator Guess: "Thank you very much, Senator."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 668, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-42.

Voting nay: Senators Lewis (Bob), Matson, Newschwander, Sellar-4.

Absent or not voting: Senators Durkan, Henry-2.

Excused: Senator Whetzel-1.

HOUSE BILL NO. 668, having received the 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 Senator Atwood, Substitute House Bill No. 392 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

SECOND READING

SENATE BILL NO. 2120, by Senators Sandison, Canfield, Marsh and Gardner (by Joint Committee on Higher Education request):

Imposing additional duties on council on higher education relating to technological education.

MOTIONS

On motion of Senator Marsh, Substitute Senate Bill No. 2120 was substituted for Senate Bill No. 2120, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Marsh, Substitute Senate Bill No. 2120 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Atwood: "Would Senator Marsh yield? Senator Marsh, does this bill carry a fiscal note with it?"

Senator Marsh: "No, it does not."

Senator Atwood: "Is there any fiscal impact at all?"

Senator Marsh: "None that I am aware of."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2120, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senators Newschwander, Odegaard, Ridder—3.

Absent or not voting: Senators Durkan, Henry—2.

Excused: Senator Whetzel—1.

SUBSTITUTE SENATE BILL NO. 2120, having received the 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 Senator Mardesich, Senate Bill No. 2186 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

#### SECOND READING

SENATE BILL NO. 2447, by Senators Bottiger and Twigg:  
Relating to lotteries and defining "valuable consideration".

#### MOTIONS

On motion of Senator Bottiger, Substitute Senate Bill No. 2447 was substituted for Senate Bill No. 2447, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Bottiger, Substitute Senate Bill No. 2447 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Day: "Will Senator Bottiger yield to a question? Senator Bottiger, the digest says that contests are held no more than three times per year and last no longer than five days per contest. Now could they possibly conduct one of these contests in five days?"

Senator Bottiger: "Those are individual particular contests and I think it pertains to the drawing period of time, Senator Day. The amendment was designed to prevent the Safeway store from having their cash and carry bingo. I am sure most of us do not want them to."

Senator Day: "What about the high school that is trying to raise some money for their championship team to go someplace and they want to raffle a car?"

Senator Bottiger: "The section, Senator, that Senator Woody has called to my attention, starts out, 'In the case of any business enterprise offering goods or services at retail, such contests are held on more than three days,' so this is directed at the Safeway store type thing."

## POINT OF INQUIRY

Senator Canfield: "Would Senator Bottiger yield? Is this in fact, Senator, a lottery?"

Senator Bottiger: "Technically, yes. The Readers Digest, the Post Toasties contests are lotteries."

Senator Canfield: "Then what kind of a vote would it take to pass this body?"

Senator Bottiger: "I do not think it would take anything more than a simple majority. The people by constitutional amendment removed the lottery question and I think we are just going on a straight majority vote but maybe Senator Francis would know."

Senator Canfield: "My question was something else, Senator Bottiger."

Senator Francis: "Mr. President, members of the Senate, I think I should respond to Senator Canfield's concern. If you read the substitute bill which you have in front of you, you go down to line 15 on page 1 and it defines valuable consideration and what it is saying is that these items that are listed under sub 2, they are all items that do not constitute valuable consideration within the meaning of our statutes. So basically what this statute does is take these kinds of things out of the area of lotteries as far as our statutes are concerned. They are saying that listening to or watching a television or radio program, filling out a coupon or entry blank, etc., these things are not valuable consideration within the meaning of the kinds of things that we intend to regulate and control."

## PARLIAMENTARY INQUIRY

Senator Atwood: "Will this particular bill require a sixty percent vote to comply with SJR 5?"

The President: "Thank you, Senator Atwood."

Senator Francis: "Mr. President, I do not object to holding the bill over. I do not think it will take a sixty percent majority and this is what I was addressing my remarks to, but in any event if you want to move on to the next one while you are making your ruling, that is all right."

Senator Atwood: "I think the members of the body should know what the Chair rules because this does change the definition of lottery. Right now these are lotteries and SJR 5 permits lotteries with a sixty percent vote."

Senator Woodall: "I suggest we go ahead and run it. It may well carry by sixty percent and then the inquiry will be moot. If it does not, then of course we can, someone can change his vote, hold it over until tomorrow. What I was trying to ask awhile ago, I just do not want to hold up the right of Senator Bottiger and Senator Twigg to compete in that Post Toasties business."

## REPLY BY THE PRESIDENT

The President: "The President really believes it might be advisable to hold this measure over until tomorrow. There is considerable doubt, and the President, with all due respect to the members of the Senate who have designated this as a lottery bill, there is some question in his mind that it is a lottery bill, inasmuch as in, line 10 for instance, 'notwithstanding the fact that the skill of the contestants may also be a factor,' which would remove it from the area of a lottery. The President would like to study it further."

Senator Canfield: "I have no reason to slow action on the bill. I just wanted a clear definition of what we were doing and whether in fact we were voting on a lottery bill."

## REPLY BY THE PRESIDENT

The President: "I appreciate your bringing up the point, Senator Canfield. It is something that I had not thought of before, but I think your point is well taken and should be answered in a serious and responsible manner."

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2447, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senator Grant—1.

Absent or not voting: Senators Durkan, Henry, Lewis (Harry), Matson—4.

Excused: Senator Whetzel—1.

SUBSTITUTE SENATE BILL NO. 2447, having received the 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 Senator Scott, Senators Matson and Lewis (Harry) were excused.

## SECOND READING

ENGROSSED HOUSE BILL NO. 225, by Representatives Amen, Hausler, Schumaker, Tilly and Kalich:

Implementing laws of motor vehicle equipment.

The bill was read the second time by sections.

On motion of Senator Jolly, Engrossed House Bill No. 225 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## MOTION

On motion of Senator Walgren, Senators Durkan and Henry were excused.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 225, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Durkan, Henry, Lewis (Harry), Matson, Whetzel—5.

ENGROSSED HOUSE BILL NO. 225, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 746, by Representatives Conner, Anderson, Berentson and Kalich: Implementing the laws protecting forest lands.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), House Bill No. 746 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 746, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Excused: Senators Durkan, Henry, Lewis (Harry), Matson, Whetzel—5.

HOUSE BILL NO. 746, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Scott, Senate Bill No. 2399 was ordered to hold its place on the second reading calendar for Wednesday, April 4, 1973.

## SECOND READING

SENATE BILL NO. 2468, by Senators Rasmussen, Peterson (Lowell), Herr and Woody:

Granting free game licenses to persons who will turn seventy years of age within the calendar year.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), Senate Bill No. 2468 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## MOTIONS

On motion of Senator Rasmussen, Senate Bill No. 2468 was returned to second reading.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 2, after line 12, add the following:

“*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 motion of Senator Rasmussen, the following amendment to the title was adopted:

On page 1, line 3 of the title, after “77.32.010” and before the period insert “; and declaring an emergency”.

On motion of Senator Rasmussen, Engrossed Senate Bill No. 2468 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2468, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 3; excused, 5.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch,

Lewis (Bob), Mardesich, Marsh, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall—41.

Absent or not voting: Senators Atwood, Metcalf, Woody—3.

Excused: Senators Durkan, Henry, Lewis (Harry), Matson, Whetzel—5.

ENGROSSED SENATE BILL NO. 2468, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Woodall: "Mr. President and members of the Senate, I would like to request the President have his attorney frame a suitable letter to either the Attorney General and/or the Chairman of the Ethics Committee for a complete reading on the letter which has come out under the name of Ann Bradley, a very lovely girl but I do not know how much she knows about the law, concerning what 276 has everyone do. Now you received this and this is a real serious thing because as you know there are some very severe penalties in that particular infamous law. Now it says here as she quotes, 'Every legislator and every committee of the legislature shall file with the commission quarterly reports listing the names, addresses and salaries of all persons employed by the person or committee making a filing for the purpose of aiding in the preparation and enactment of legislation during the preceding quarter. The report shall be made in the form and the manner prescribed.' Now it could be very far reaching in its construction. It could be most vital and certainly this goes more to you in the majority than it does to us in the minority because you do have chairmen. But I think it does take in the matters, it may well take in the matters of caucus attorneys, caucus secretaries, do they help prepare when they type a bill, when they type an amendment? How about your own secretary? Does she help you in the preparation of legislation? Now I think this is very important and I would appreciate it if the President would have his attorney frame suitable questions based on this to the end that we get yes and no answers with definiteness as to exactly what the duties of all of us are under this particular act, because certainly none of us want to be cracked by some bounty hunter who decides under that particular bill that here is something someone should have done and someone neglected or failed to do, through a failure to understand this particular thing. And it is of particular interest to all committee chairmen. I do not know whether a particular caucus employee is an employee of only the caucus leader who put him on or is he an employee of every member of the caucus? And does every member of the caucus have to file that, yes, Joe Blow is the attorney employed by me as one member of the caucus? These are all important matters and I would like to request that hopefully you would request that your attorney prepare a detailed request and submit it for a clarification of this thing."

#### REMARKS BY SENATOR ATWOOD

Senator Atwood: "We have already requested the Attorney General to get a clarification plus the fact we have asked the commission for clarification on what they mean, and I would appreciate Senator Woodall's request be answered by the Chair by his attorney also."

#### PARLIAMENTARY INQUIRY

Senator Rasmussen: "I was reading that communication, Mr. President, and apparently you must list everyone who aids in the enactment of laws. Would that be your understanding, Mr. President, that you aid in the enactment of laws?"

#### REPLY BY THE PRESIDENT

The President: "Yes, Senator Rasmussen."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "You have been a big aid to a lot of us many times in that respect, yes. Well, in that case, Mr. President, I must respectfully request you submit to me a list of all of your employees and the salaries, including your own salary because that is what that report requires under the aid to enactment of laws."

REPLY BY THE PRESIDENT

The President: "I would like to comply with your request, Senator Rasmussen, but I am ashamed to."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "We are going to have to get another sheet of paper to add to that. But there is another part of it on the back that is of great concern. I did address a communication to the Governor asking him if there were other members of the Horse Racing Commission who had not been confirmed by the Senate. In his reply to me he indicated that they did not need confirmation and that is entirely aside from the point under consideration. Now apparently the Governor will have to list on his report all of those communications that he has received. Fortunately I have only sent him one so far. He has sent me one back so we are even. And I can list it on my report and he can list it on his report. But it can be a very cumbersome report and I just do not know how many employees would be required to read those reports and then trace down whether or not we were reporting accurately in that respect. Maybe you have some thoughts on that, Senator Woodall."

REMARKS BY SENATOR WOODALL

Senator Woodall: "I can only say that both you and the Governor are going to be embarrassed when you list that. I will not say whether the embarrassment is similar to yours."

PARLIAMENTARY INQUIRY

Senator Canfield: "Mr. President, maybe my question will be covered in Senator Atwood's but if we have bills drafted in the bill drafting room, are we supposed to go down there now and find out who the exact attorney was who drafted the bill and exactly who was it that prepared any amendments and things of that sort? Maybe who carried it up here and gave it to me?"

REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, I cannot add much to this intelligence but I am going to say one thing. If somebody brings a bill to me and I put it in the hopper, I just feel that I have done publicly what I can do as a public official or as a legislator and I do not think it is any of their damn business and I am not going to report it anyway."

MOTION

At 8:30 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 9:30 p.m. There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 3, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, and the Speaker has

appointed as members of the Conference Committee thereon: Representatives Perry, Charette and Swayze.

DEAN R. FOSTER, Chief Clerk.

#### MESSAGE FROM THE HOUSE

April 3, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, and has granted said committee the powers of Free Conference.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

April 3, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, providing for changes in the Joint Rules of the Senate and the House of Representatives, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference, and recommend that the resolution be amended by the Free Conference Committee as follows:

On page 1, of the engrossed resolution, strike all material beginning with "Rule 3." on line 6 down to and including "interim." on page 7, line 28 and insert the following:

"Rule 3. A legislative employee shall not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary, nor shall he, during the [session] *course of his employment*, give any legislative advice, assistance, or service to anyone other than a legislator or legislative employee except in connection with his authorized or assigned duties.

A legislative employee, by himself or through others, shall not influence or attempt to influence a state agency, board, or commission to secure or grant special privileges, exemptions, advantages, contracts, or treatment, for himself or for others.

A legislative employee shall not deliver or agree to deliver any gift, compensation, reward, or gratuity for or on behalf of any person or organization interested in matters before the legislature, nor may he accept or solicit such items for himself or for others.

A legislative employee shall not accept employment, or engage in any business, or be involved in any activity which he might reasonably expect would require him to use or disclose information gained by virtue of his legislative position.

A legislative employee shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the Board of Ethics.

A legislative employee shall not acquire a financial interest in any business enterprise which he has reason to believe may be involved in a legislative action from which the enterprise would benefit.

A legislative employee shall not use or attempt to use his official position to secure or grant special privileges, exemptions, advantages, contracts, or treatment, for himself or for others.

A legislative employee shall not solicit or accept campaign contributions for any candidate for public office while employed by the legislature.

Rule 19. [Senate bills in the house and house bills in the senate in the possession of the rules committees, shall be selected for the calendars of both the senate and house on Wednesday of each week during the session, and to follow the progress of senate bills in the house and house bills in the senate, the president of the senate shall appoint three members of the senate rules committee and the speaker of the house shall appoint three members of



the house rules committee, who will jointly act as an advisory calendar committee in regard to senate bills in the house and house bills in the senate, said advisory committee to be appointed not later than the fifteenth day of the session.]

*During the legislative interim the following committees and commissions shall be continued:*

*The legislative budget committee,  
The public pension commission,  
The oceanographic commission,  
The Columbia interstate compact commission,  
The joint commission on legislative ethics,  
The judicial council,  
The world's fair commission.*

Rule 28. [A committee bill may originate in either house, provided the entire committee unanimously favors the introduction of such bill at a regularly called meeting of the committee. Each member of the committee shall endorse his name thereon. The rules committee of either house may introduce bills upon executive request by a two-thirds vote of the committee. No bill shall be introduced as a joint committee bill.]

*During the legislative interim each standing committee shall be continued as an interim committee with powers to study and make recommendations as to any subject assigned to it by the rules committee of the respective house.*

*During the interim, committee bills may be filed by a committee. The signature of two-thirds of the members of the committee shall be endorsed upon the cover of the original bill. Senate bills shall be filed with the secretary of the senate. House bills shall be filed with the chief clerk of the house.*

*During the interim, committee bills shall be printed and referred to the committee on rules: PROVIDED, That any bill so referred shall be read in on the first day of any regular or special session so that said committee may take immediate action.*

Rule 29. [Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.]

*Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.*

All joint public hearings held by [joint] the committees shall be scheduled at least five days in advance, shall be open to the public, and shall be given publicity: PROVIDED, That [this] the notice and scheduling provision shall not apply to joint hearings held after the fiftieth day of the regular session or during any special session.

Rule 31. The sessions of the legislature shall be held biennially, convening at 12 o'clock noon on the second Monday of January each odd year, as provided by chapter XX of the laws of 1891 (44.04.010, RCW) in accordance with art. 2, section 12 of the state Constitution.

*The first special session of the forty-third legislature shall adjourn sine die no later than Saturday, the fourteenth day of April, 1973. A second special session in 1973 may be requested by petition signed by two-thirds of the members of each house of the legislature.*

*In addition, the governor will be requested to convene a special session on Saturday, the eighth day of September which shall adjourn sine die no later than Sunday, the sixteenth day of September.*

*In the event the governor shall call a special session of the forty-third legislature in 1974, such session shall meet for no more than a total of forty days, unless Senate Joint Resolution No. 105 is approved by the people, and shall adjourn sine die no later than Sunday, the twenty-eighth day of April 1974. Upon approval of two-thirds of the members of each house any special session may be extended.*

*NEW RULE. Rule 36.* (1) All standing interim committees of both houses may take executive action on bills in Olympia only, to be ratified only while the legislature is convened in session: PROVIDED, HOWEVER, That committee hearings of either house may be held while the legislature is convened or during a recessed or interim period.

(2) Standing interim committees of both houses may meet only on the first consecutive Friday, Saturday, and Sunday of each month in Olympia: PROVIDED, HOWEVER, That the rules committee of either house may provide by two-thirds vote for alternate schedules, locations or additional meetings of any interim standing committee of the same house as may be determined necessary;

(3) Subject to the approval of the rules committee of the appropriate house, standing committees, subcommittees, and select committees may conduct hearings and scheduling without a quorum being present, but executive action shall require a quorum.

*NEW RULE. Rule 37.* Regardless of whether the legislature is in session, and subject to the provisions of Rule 36 to the extent that it is applicable, members of the legislature and the president of the senate may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses and payments in lieu of subsistence and lodging for conducting official business of the legislature."

Signed by: Senators Mardesich, Bailey and Lewis (Harry); Representatives Charette and Perry.

#### MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### REPORT OF FREE CONFERENCE COMMITTEE

April 3, 1973.

Mr. Speaker:

Mr. President:

We of your Free Conference Committee, to whom was referred ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, providing for changes in the Joint Rules of the Senate and the House of Representatives, have had the same under consideration, and we recommend that Engrossed Senate Concurrent Resolution No. 125 be amended to read as recommended by the Conference Committee.

Signed by: Senators Mardesich, Bailey and Lewis (Harry); Representatives Charette and Perry.

#### MOTION

Senator Mardesich moved that the report of the Free Conference Committee on Engrossed Senate Concurrent Resolution No. 125 be adopted.

Debate ensued.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Bottiger, Talley, Washington, Sandison, Odegaard, Matson, Guess, Connor and Woody.

#### ROLL CALL

The Secretary called the roll and the report of the Free Conference Committee on Engrossed Senate Concurrent Resolution No. 125 was adopted by the following vote: Yeas, 40; nays, 6; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—40.

Voting nay: Senators Clarke, Matson, Mattingly, Metcalf, Newschwander, Scott-6.

Excused: Senators Durkan, Henry, Whetzel-3.

The President declared the question before the Senate to be the final passage of Engrossed Senate Concurrent Resolution No. 125, as amended by the Free Conference Committee.

#### MOTION

At 9:45 p.m., on motion of Senator Mardesich, the Senate adjourned until 10:00 a.m., Wednesday, April 4, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-SEVENTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, April 4, 1973.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Greive, Henry, Lewis (Harry), Rasmussen, Talley, Walgren and Whetzel. On motion of Senator Scott, Senator Whetzel was excused.

The Color Guard, consisting of Pages Dean Christopherson and Teri Edwards, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR HEAVENLY FATHER, WITH THE PSALMIST WE SAY, ‘I WILL SING OF THY POWER; YEA, I WILL SING ALOUD OF THY MERCY IN THE MORNING; FOR THOU HAST BEEN MY DEFENSE AND REFUGE IN THE DAY OF MY TROUBLE. UNTO THEE, O MY STRENGTH, WILL I SING; FOR GOD IS MY DEFENSE, AND THE GOD OF MY MERCY.’

“HERE WAS A KING TALKING WITH YOU, LORD. A LEADER OF PEOPLE. ONE WHO HAD TO MAKE DECISIONS AFFECTING MULTITUDES. HIS ACKNOWLEDGMENT WAS OF YOUR POWER, OF YOUR STRENGTH. MAN'S TENDENCY IS TO PUT GREAT STOCK IN HIS OWN ABILITY AND IN HIS OWN MIGHT. BUT YOU HAVE TAUGHT US, LORD, THROUGH HISTORY PAST, THAT OUR ABILITY AND OUR MIGHT COMES FROM YOU. YOU HAVE BLESSED US! AND WE THANK YOU FOR IT. AGAIN THIS DAY WE TURN TO YOU FOR THE HELP NEEDED TO CARRY OUT EFFECTIVELY THE DUTIES OF THIS LEGISLATIVE SESSION. EMPOWER THESE LEADERS WITH INSIGHT AND WISDOM. MAY THEIR EYES BE UPON YOU, O LORD, AND MAY THIS DAY BRING DIVINE RESULTS, NOT JUST THE FEEBLE EFFORTS OF MEN. WE THANK YOU NOW FOR THAT EMPOWERING. IN JESUS' NAME. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

April 3, 1973.

SENATE BILL NO. 2266, amending the Law Enforcement and Firefighters' Retirement System Act (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2266 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Grant, Metcalf, Newschwander, Ridder, Scott.

Passed to Committee on Rules for second reading.

April 4, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, providing for a limited leasehold in lieu of tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Fleming, Marsh, Peterson (Ted), Ridder, Sandison.

Passed to Committee on Rules for second reading.

## MESSAGES FROM THE HOUSE

April 3, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 204, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 3, 1973.

Mr. President, The Speaker has signed HOUSE BILL NO. 204, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 3, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2071, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 3, 1973.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 351, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 3, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 601, and has granted said committee the powers of Free Conference.

DONALD R. WILSON, Assistant Chief Clerk.

## REPORT OF FREE CONFERENCE COMMITTEE

April 4, 1973.

Mr. Speaker:

Mr. President:

We of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 601, revising voter registration procedures, have had the same under consideration, and we recommend that the House of Representatives concur in the Senate amendment and that the following amendments be added to Engrossed House Bill No. 601 and that Engrossed House Bill No. 601 do pass as amended.

On page 2, section 2, line 11, after "The" and before "of the", strike "place and address" and insert "*previous address*".

On page 3, section 2, line 9, beginning with "[ (14) ]", strike all material down to and including "crime [;" on line 10.

On page 3, section 2, line 18, after "a" and before "registration", insert "*single*".

On page 4, section 3, line 26, after "of the" strike "*special taxing districts*" and insert "*identifying code numbers and precinct.*"

On page 5, section 6, line 31, after "auditor" strike the colon and insert a period.

On page 5, section 6, line 32, beginning with "*PROVIDED,*" strike all material down to and including "*transmittal.*" on page 6, line 2.

On page 6, section 7, line 20, after "amended" strike "*and to cancel a previous registration as provided by RCW 29.10.040, as it now exists or is hereafter amended.*" and insert a period.

On page 6, section 7, line 22, after "forms" and before "necessary" on line 23, strike "*and envelopes*".

Signed by: Senators Grant, Clarke and Washington; Representatives Clemente, Brown and Parker.

## MOTION

On motion of Senator Grant, the report of the Free Conference Committee on Engrossed House Bill No. 601 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 601, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 7; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Wanamaker, Washington, Woodall, Woody—41.

Absent or not voting: Senators Connor, Greive, Henry, Lewis (Harry), Rasmussen, Talley, Walgren—7.

Excused: Senator Whetzel—1.

ENGROSSED HOUSE BILL NO. 601, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 124, by Senators Lewis (Harry) and Atwood:

Providing a schedule for the special session.

## MOTION

On motion of Senator Atwood, Senate Concurrent Resolution No. 124 was re-referred to the Committee on Rules.

## FINAL PASSAGE OF ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125

The President declared the question before the Senate to be final passage of Engrossed Senate Concurrent Resolution No. 125, as amended by the Free Conference Committee and adopted on Tuesday, April 3, 1973.

## PARLIAMENTARY INQUIRY

Senator Mardesich: "Is the Engrossed Senate Concurrent Resolution No. 125 still in the possession of the Senate?"

## REPLY BY THE PRESIDENT

The President: "The Secretary has advised the President that the measure is still in the possession of the Senate, Senator Mardesich."

Senator Mardesich: "Mr. President, I should then like to move that the Senate take a roll call vote upon the final passage of Engrossed Senate Concurrent Resolution No. 125."

The President: "With the approval of the Senate, the question before the Senate is the final passage of Senate Concurrent Resolution No. 125."

Senator Woodall: "I do not understand. If it has passed once it is passed. Now how do you unpass it and repass it?"

Senator Mardesich: "Not being under rules, we could start anew but you raised the question last night as to whether or not it was necessary for a roll call."

Senator Woodall: "Anything less than a joint resolution does not require a roll call."

Senator Mardesich: "I agree with you on that, Senator Woodall, but the question was raised as to whether or not this may be considered an appropriating measure in view of the fact that it speaks of expenses. I do not feel that that is correct. I think that this is an authorizing measure rather than an appropriating measure, but to dispel that possibility I thought we would simply run it again."

Senator Woodall: "Mr. President, if we have any rules at all, the Chair declared a bill passed. We go into the next working day and that certainly takes it out of the scope of the body. No motions were made to hold it."

Senator Mardesich: "Except that the next motion, Senator Woodall, was the motion to adjourn by me, and therefore any motion subsequent to the action taken would be in order today since the first motion put was the motion to adjourn."

Senator Woodall: "I submit this is very new. The presiding officer declares a measure passed, you adjourn for the day, and then the following day when there has been no motions made to hold it, you want to re-vote on it."

Senator Mardesich: "What I am saying is that a motion for reconsideration would be in order now and that is, in effect, what this is. The motion was a motion to adjourn."

Senator Woodall: "You are moving to reconsider the vote by which something passed yesterday when you did not give a notice that you intended to?"

Senator Mardesich: "That is right."

Senator Woodall: "Well, that is a new Mardesich rule. It supersedes Reed and all the rest."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 125, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—39.

Voting nay: Senators Clarke, Matson, Mattingly, Metcalf, Newschwander, Scott—6.

Absent or not voting: Senators Henry, Rasmussen, Talley—3.

Excused: Senator Whetzel—1.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

### THIRD READING

ENGROSSED HOUSE JOINT MEMORIAL NO. 10, by Representatives Matthews, Charnley, Eng and Nelson (by Governor's Task Force on Aging request):

Requesting Congress to take action on health care services for the elderly.

### MOTION

On motion of Senator Day, Engrossed House Joint Memorial No. 10 was returned to second reading.

On motion of Senator Day, the following amendments were adopted:

On page 1, line 22, before "persons" insert "elderly".

On page 1, beginning on line 27, after "persons" strike the comma and insert a period and strike everything down through and including "a system" on page 2, line 2, and insert "Such a system could be strengthened".

On page 2, line 3, after "optional" strike "adult" and insert "elderly".

On motion of Senator Canfield, the following amendment was adopted:

On page 1, line 22, strike "right" and insert "need".

On motion of Senator Day, Engrossed House Joint Memorial No. 10, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Memorial No. 10, as amended by the Senate, and the memorial passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Wanamaker, Washington, Woody—35.

Voting nay: Senators Clarke, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Newschwander, Twigg, Woodall—9.

Absent or not voting: Senators Dore, Henry, Rasmussen, Walgren—4.

Excused: Senator Whetzel—1.

ENGROSSED HOUSE JOINT MEMORIAL NO. 10, as amended by the Senate, having received the constitutional majority, was declared passed.

### MOTION

At 10:30 a.m., on motion of Senator Mardesich, the Senate recessed until 11:40 a.m.

## SECOND MORNING SESSION

The President called the Senate to order at 11:40 a.m.

## MOTION

On motion of Senator Mardesich, Senators Durkan and Henry were excused.

Senators Mardesich, Bottiger and Woody demanded a Call of the Senate. A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan and Henry, who had previously been excused.

## MOTION

On motion of Senator Mardesich, the Senate commenced consideration of Senate Joint Resolution No. 109, to be followed by Senate Bill No. 2247.

There being no objection, the Senate returned to the sixth order of business.

## SECOND READING

SENATE JOINT RESOLUTION NO. 109, by Senators Grant, Ridder, Mardesich, Bailey, Walgren, Bottiger and Jolly:

Amending Constitution to authorize revision in tax structure.

On motion of Senator Mardesich, the Senate resolved itself into a Committee of the Whole, Vice President Pro Tempore Keefe in the Chair, for the purpose of consideration of Senate Joint Resolution No. 109.

## REPORT OF STANDING COMMITTEE

March 6, 1973.

SENATE JOINT RESOLUTION NO. 109, amending Constitution to authorize revision in tax structure (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 after "(b)" and before "tax" strike "No" and insert "Upon and after July 1, 1974, no".

On page 2, line 21 after "(d)" and before "general" strike "No" and insert "Upon and after July 1, 1974, no".

On page 2, line 27 after "(e)" and before "school" strike "No" and insert "Upon and after July 1, 1974, no".

On page 3, subsection (4), beginning on line 8, strike all of subsection (a) and renumber the remaining subsections consecutively.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Dore, Grant, Mardesich, Marsh, Ridder; Sandison.

The bill was read the second time by sections.

## MOTIONS

On motion of Senator Mardesich, Senator Grant assumed the Chair during consideration of Senate Joint Resolution No. 109 and the pending amendments thereto.

On motion of Senator Mardesich, Mrs. Eleanor Brand, committee clerk from the Senate Committee on Ways and Means, was allowed to appear before the Senate to explain Senate Joint Resolution No. 109 and the pending amendments thereto.

On motion of Senator Mardesich, the committee amendments were not adopted as proposed by the Committee on Ways and Means to Senate Joint Resolution No. 109.



On motion of Senator Mardesich, the Committee of the Whole commenced consideration of proposed amendment to Senate Joint Resolution No. 109 and the resolution itself.

MOTIONS

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate. At 12:30 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

Senator Grant called the Senate to order at 2:00 p.m.

Senators Mardesich, Clarke and Talley demanded a Call of the Senate. A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan and Henry who had previously been excused.

The Senate resumed consideration of Senate Joint Resolution No. 109 and the amendment thereto in the Committee of the Whole.

MOTION

On motion of Senator Mardesich, Senator Odegaard assumed the Chair during consideration of Substitute Senate Bill No. 2247 and the pending amendments thereto.

On motion of Senator Mardesich, Mr. William Dexter from the Department of Revenue was allowed to appear before the Senate to explain Substitute Senate Bill No. 2247 and the pending amendments thereto.

COMMITTEE OF THE WHOLE

Senate Joint Resolution No. 109 and Substitute Senate Bill No. 2247 were considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that the Senate further consider the two measures and the proposed amendments thereto on the following day.

On motion of Senator Mardesich, the report of the committee was adopted.

On motion of Senator Mardesich, the reading had in the Committee of the Whole was considered the second reading of Senate Joint Resolution No. 109.

On motion of Senator Mardesich, the committee amendments to Senate Joint Resolution No. 109 not adopted in the Committee of the Whole, were not adopted by the Senate.

MOTION

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate. There being no objection, the Senate returned to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2918, by Senator Peterson (Lowell):

An Act relating to food fish and shellfish; conserving the herring resources by validating commercial herring licenses; adding new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; and declaring an emergency.

Referred to Committee on Natural Resources.

## MOTION

At 5:30 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, April 5, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## TWENTY-EIGHTH DAY

## MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, April 5, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Dore, Henry, Keefe and Rasmussen. On motion of Senator Knoblauch, Senators Dore, Henry and Keefe were excused. There being no objection, Senator Donohue was excused.

The Color Guard, consisting of Pages Todd Moffett and Meran Mardesich, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

"OUR HEAVENLY FATHER, WE KNOW THAT JESUS CHRIST DOES EXCITING THINGS FOR PEOPLE. HE TAKES DEFEATED, DULL PEOPLE AND HE BUILDS A FIRE UNDER THEM AND IN THEM. WE HAVE COME TO KNOW THAT THERE IS NOTHING QUITE LIKE SEEING A HUMAN BEING COME ALIVE. THAT IS WHY WE STOP FOR PRAYER THIS MORNING IN THIS LEGISLATIVE HALL. WE NEED THE QUICKENING THAT ONLY HEAVEN CAN GIVE US. YOU SAID, HEAVENLY FATHER, 'LET US MAKE MAN IN OUR IMAGE, AFTER OUR LIKENESS.' THIS IS THE MODEL BY WHICH WE WERE MADE. A HUMAN BEING WAS NEVER MEANT TO BE SMALL. HE WAS CREATED BY A VERY BIG GOD.

"NOW WE REALIZE THAT THESE ARE VERY SERIOUS DAYS. HELP US NEVER TO BE DISCOURAGED NOR OVERCOME. GRANT THAT THESE ELECTED OFFICIALS MAY KNOW THE STRENGTH THAT ONLY YOU CAN GIVE, LORD. MAY ALL OF US REALIZE OURSELVES AS INDIVIDUALS, CREATED IN THE IMAGE OF GOD, AND THEN ENTER INTO THE LIFE OF OUR TIME WITH CREATIVE POWER TO MAKE THIS A BETTER WORLD.

"WE THANK YOU NOW FOR SUCH AN EXCITING LIFE, AND SUCH A DAY OF OPPORTUNITY AND WE THANK YOU IN JESUS' NAME. AMEN."

MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

April 4, 1973.

SENATE BILL NO. 2145, enacting comprehensive regulations relating to bingo and raffles (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2145 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Twigg, Van Hollebeke, Woodall.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2458, enacting the Gasoline Dealers' Act of 1973 (reported by Committee on Commerce):

MAJORITY recommendation: That Substitute Senate Bill No. 2458 be substituted therefor and that substitute bill do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2542, relating to regulating employment agencies (reported by Committee on Commerce):

MAJORITY recommendation: That Substitute Senate Bill No. 2542 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

MINORITY recommendation: That Substitute Senate Bill No. 2542 do not pass.

Signed by: Senator Greive, Chairman.

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2565, relating to enacting the automotive repair responsibility act (reported by Committee on Commerce):

MAJORITY recommendation: That Substitute Senate Bill No. 2565 be substituted therefor and the substitute bill do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

February 15, 1973.

SENATE BILL NO. 2790, setting the amount of forest fire protection assessments (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted).

Passed to Committee on Rules for second reading.

April 3, 1973.

SENATE BILL NO. 2813, providing for the financial support of mass public transportation programs (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2813 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Lewis (Harry), Marsh, Ridder, Scott.

Passed to Committee on Rules for second reading.

April 5, 1973.

SENATE BILL NO. 2918, providing for a limitation, through a validated license procedure, on commercial fishing for herring in order to protect the species (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Metcalf, Peterson (Ted), Talley.

Passed to Committee on Rules for second reading.

April 3, 1973.

SUBSTITUTE HOUSE BILL NO. 306, providing for environmental coordination procedures (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Donohue, Murray, Stortini, Van Hollebeke.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 915, relating to banks, mutual savings banks, and savings and loan associations (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Newschwander.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

April 4, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 84,

HOUSE BILL NO. 460,

SUBSTITUTE HOUSE BILL NO. 589,

HOUSE JOINT MEMORIAL NO. 6,

HOUSE JOINT MEMORIAL NO. 9,

HOUSE JOINT MEMORIAL NO. 14, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 4, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2293, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 4, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 387,

ENGROSSED HOUSE BILL NO. 564,

ENGROSSED HOUSE BILL NO. 640,

HOUSE BILL NO. 731,

SUBSTITUTE HOUSE BILL NO. 944,

HOUSE BILL NO. 946,

HOUSE JOINT RESOLUTION NO. 40, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 3, 1973.

Mr. President: The House has passed:  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 316,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 323,  
 ENGROSSED HOUSE BILL NO. 474,  
 ENGROSSED HOUSE BILL NO. 705,  
 ENGROSSED HOUSE BILL NO. 1007,  
 SUBSTITUTE HOUSE BILL NO. 1034, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 3, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2278, and has granted said committee the powers of Free Conference.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

April 5, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2278, restricting use of abstracts of driving experience for insurance purposes, have had the same under consideration, and we report that we were unable to come to an agreement and respectfully request the powers of free conference and we recommend adoption of the following amendment:

On page 2, line 15 strike everything through line 19 and insert the following:

After "fault:" on line 15 insert "*PROVIDED FURTHER, That no insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles shall use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment.*"

We further recommend that the House amendment not be adopted.

Signed by: Senators Walgren, Marsh and Lewis (Harry); Representatives Beck and Perry.

MOTION

On motion of Senator Walgren, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MOTION

At 9:45 a.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 11:15 a.m.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2919, by Senators Gardner and Fleming:

An Act relating to local government.

Referred to Committee on Local Government.

SENATE BILL NO. 2920, by Senator Washington:

An Act relating to revenue and taxation; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.050; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; declaring an emergency; and prescribing an effective date.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2921, by Senators Day, Murray and Fleming:

An Act relating to community based corrections programs; adding a new chapter to Title 72 RCW; and declaring an effective date.

Referred to Committee on Social and Health Services.

SENATE CONCURRENT RESOLUTION NO. 130, by Senators Lewis (Harry) and Mardesich:

Extending congratulations to Hyogo, Japan, with recognition of 10th year anniversary of sister state relationship with our state.

On motion of Senator Atwood, Senate Concurrent Resolution No. 130 was advanced to second reading and read the second time in full.

On motion of Senator Lewis (Harry), Senate Concurrent Resolution No. 130 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 316, by Committee on Parks and Recreation (originally sponsored by Representatives Luders, Zimmerman, Laughlin, North (Lois), Kraabel and O'Brien):

Providing for boat registration and regulation.

Referred to Committee on Parks and Recreation.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, by Judiciary Committee (originally sponsored by Representatives Fortson, Clemente, Bender, Hansen and North (Frances)):

Making changes to penalties provided for controlled substances offenses.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 387, by Representatives Wojahn, Kuehnle, Erickson and Ehlers (by Joint Committee on Education request):

Implementing law relating to school district organization.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 474, by Representatives Smith, Bluechel, Sommers, Bausch, King, Ehlers, Zimmerman, Bauer, Blair and Gaspard:

Allowing state, city, and county employees to engage in certain political activities.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 564, by Representatives Kilbury and Nelson:

Providing alternate methods for petitioning a legislative body to call an annexation election.

Referred to Committee on Local Government.

ENGROSSED HOUSE BILL NO. 640, by Representatives Williams, Bluechel, Perry, Lysen, Paris, Blair and Wojahn (by Executive request):

Creating a state department of consumer affairs.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 705, by Representative Bagnariol:

Permitting a health care service subscriber ten days to reject a health care services contract.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 731, by Representatives Paris, Adams, May and Matthews:

Expanding nursing home treatment authority.

Referred to Committee on Social and Health Services.

SUBSTITUTE HOUSE BILL NO. 944, by Committee on Social and Health Services (originally sponsored by Representatives Kelley and Matthews):

Permitting nursing homes to offer out-patient services.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 946, by Representatives Matthews and Adams:

Permitting the department of social and health services to adjust vendors' rates.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 1007, by Representatives Kilbury, Amen, Haussler, Benitz, Hayner, Van Dyk, Moon, Fortson, Laughlin, Tilly, Clemente, Hurley, Randall, Luders, Knowles and Goltz:

Appropriating funds for grasshopper control.  
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1034, by Committee on Constitution and Elections (originally sponsored by Representatives Goltz, Brown, King, North (Lois) and Savage):

Providing for obtaining of voter lists.  
Referred to Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 40, by Representatives Thompson, Polk and Van Dyk:

Changing the requirements for passage of bond propositions.  
Referred to Committee on Constitution and Elections.

#### MOTIONS

On motion of Senator Day, Senate Bill No. 2528 was re-referred to the Committee on Rules.

On motion of Senator Mardesich, Senate Bill No. 2762 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

On motion of Senator Mardesich, Senate Bill No. 2134 and Senate Bill No. 2046 were ordered to hold their places on the second reading calendar for Saturday, April 7, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Friday, April 6, 1973.

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 84,  
HOUSE BILL NO. 204,  
SUBSTITUTE HOUSE BILL NO. 351,  
HOUSE BILL NO. 460,  
SUBSTITUTE HOUSE BILL NO. 589,  
HOUSE JOINT MEMORIAL NO. 6,  
HOUSE JOINT MEMORIAL NO. 9,  
HOUSE JOINT MEMORIAL NO. 14.

#### SECOND READING

SENATE BILL NO. 2518, by Senators Rasmussen, Woodall, Henry, Keefe and Jolly:  
Creating a department of institutions.

#### MOTION

Senator Mardesich moved that Senate Bill No. 2518 be re-referred to the Committee on Rules.

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Will the Senator yield to a question? Would the Senator give some explanation why this particular measure which was debated on the floor quite at length is now being taken off the calendar?"

Senator Mardesich: "Senator Woodall, the Governor has indicated that if we pass Senate Bill No. 2518 he will veto it and I think there is no sense in us wasting time in futile gestures."

There being no objection, the motion by Senator Mardesich was withdrawn.

Senate Bill No. 2518 was read the second time by sections.

On motion of Senator Woodall, Senate Bill No. 2518 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Durkan: "Would Senator Woodall yield? Senator, there is nothing in this bill, as I read it, that is going to prevent furloughs from taking place. Is there language that will prevent these furloughs?"

Senator Woodall: "No, there is no language that per se prohibits furloughs. It does place it under someone, hopefully, who is skilled in knowledge of penology and takes the granting of furloughs and puts it under someone skilled in penology rather than someone who is skilled in being a do-gooder."

Senator Durkan: "I think the argument, Senator Woodall, lies with the appointing agency, not so much with who is going to be there. As I read the last two sections, and that is what deals with the question of a furlough and who is going to be eligible for it, the only thing that this bill does is it changes it from the Secretary to the Director. Now I am sure that Director Horowitz would probably be just as liberal, Senator, as is the present Secretary."

Senator Woodall: "You don't have to spoil my day. And I do not know that his name has been proposed."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2518, and the bill failed to pass the Senate by the following vote: Yeas, 14; nays, 31; absent or not voting, 1; excused, 3.

Voting yea: Senators Bottiger, Donohue, Greive, Guess, Jolly, Knoblauch, Rasmussen, Ridder, Stortini, Twigg, Van Hollebeke, Walgren, Woodall, Woody—14.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Day, Durkan, Fleming, Francis, Gardner, Grant, Herr, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Talley, Wanamaker, Washington, Whetzel—31.

Absent or not voting: Senator Connor—1.

Excused: Senators Dore, Henry, Keefe—3.

SENATE BILL NO. 2518, having failed to receive the constitutional majority, was declared lost.

## MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2366, Senate Bill No. 2144 and Engrossed House Bill No. 736 were ordered to hold their places on the second reading calendar for Friday, April 6, 1973.

At 12:10 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.



## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

Senators Mardesich, Bailey and Grant demanded a Call of the Senate. A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate; all members being present except Senators Henry and Keefe who were previously excused.

On motion of Senator Mardesich, the Senate proceeded under the Call of the Senate.

## SECOND READING

SENATE JOINT RESOLUTION NO. 109, by Senators Grant, Ridder, Mardesich, Bailey, Walgren, Bottiger and Jolly:

Amending Constitution to authorize revision in tax structure.

The Senate resumed consideration of Senate Joint Resolution No. 109 on second reading. On Wednesday, April 4, 1973 the committee amendments to Senate Joint Resolution No. 109 were not adopted in the Committee of the Whole.

Senator Grant moved adoption of the following amendment:

On page 1, beginning on line 8, strike the balance of the resolution and insert:

“Article VII, Section 14. (1) Income shall not be deemed property within the meaning of this Article, and a tax imposed upon or measured by income shall not be deemed a tax on property.

(2) The legislature shall have the power to impose a net income tax upon individuals and corporations.

(a) The highest rate of any net income tax imposed upon individuals shall not exceed eight percent and the highest rate of any net income tax imposed upon corporations shall not exceed twelve percent.

(b) The rate schedule for a net income tax imposed upon individuals shall be graduated and shall contain no less than six different rates, the difference between each of which shall be equal and shall be no less than one-half of one percent.

The rate limitations prescribed in subsections (a) and (b) above may be exceeded only if those sections of an act which change such limitations are enacted by a majority of at least two-thirds of the members of each of the two houses of the legislature and is referred to the people and approved by a majority vote thereon at a general election.

(c) From and after the initial adoption of a net income tax act by the legislature, no amendment to such act which either changes the definition of taxable income, a rate or rates, within the limitations set forth in (a) or (b) above, or an amount or amounts of taxable income in the rate schedule shall be valid unless such amendment is enacted by a majority of the legislature, and is subject to referendum petition.

(3) Notwithstanding any other provision of this Constitution, not later than twelve months after a state net income tax takes effect, and during the time such tax is in effect thereafter:

(a) The state shall guarantee full funding of a basic program of education, as defined by the legislature, for all school districts in accordance with an apportionment formula which, to the extent provided by Amendment XIV of the Constitution of the United States, will provide equality of educational opportunity within and between such districts.

(b) No sale or use tax shall be imposed on the consumption of the following articles as defined by the legislature: (i) food products for off-premises human consumption, and (ii) prescription drugs.

(c) The aggregate rate of any general retail sales or use tax as imposed by the state or local government may not exceed five and three-tenths percent unless those sections of an act which impose or authorize rates in excess of such limitations are enacted by a majority of at least two-thirds of the members of each of the two houses of the legislature and is referred to the people and approved by a majority vote thereon at a general election.

(d) No business and occupation tax shall be levied by the state at a rate greater than one-quarter of one percent, against that income of individuals or corporations which is subject to the net income tax.

(e) No school district in any year shall, for maintenance and operations purposes, impose a tax upon property pursuant to the provisions of paragraph (a) of section 2, as now or hereafter amended, of this Article VII.

(f) Upon and after December 31, 1984, business inventories, as defined by law, shall be exempt from property taxes.

(g) In the case of property defined as a capital asset by the legislature and held by a taxpayer on the effective date of a state income tax act and disposed of after such effective date, such taxpayer shall be allowed to exclude from the computation of taxable income the amount of any gain attributable to a difference in value of property occurring between the time of acquisition by the taxpayer and the effective date of such act.

(h) Notwithstanding the provisions of section 1, subsection (a) of Article II of this Constitution, the state net income tax statute shall not be subject to change by the initiative process.

(4) Notwithstanding any other provision of this Constitution, the legislature shall have the power:

(a) To provide for direct payments to an individual to the extent that (i) insufficient income tax liability exists for full application of an otherwise applicable credit, and (ii) such credit is granted for the purpose of providing direct or indirect relief from other state or local taxes.

(b) To coordinate the administration and collection of state income taxes with the income tax laws and procedures of the United States. The legislature may adopt by reference any federal statutes relating to federal income taxes, as existing at time of adoption and as amended from time to time.

(5) The legislature shall have the power to define terms used in this section to the extent necessary to facilitate the operation thereof.

BE IT FURTHER RESOLVED, That the foregoing amendment shall be construed as a single amendment within the meaning of Article XXIII, Section 1 (Amendment 27) of this Constitution.

The legislature finds that the changes contained in the foregoing amendment constitute a single integrated plan for a balanced revision of the tax structure for state and local government. It is the intention of the legislature that in the event the foregoing amendment is held to be separate amendments, this joint resolution shall be void in its entirety and shall be of no further force and effect.

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."

Senator Mardesich moved adoption of the following amendment to the amendment by Senator Grant:

On page 1, line 27 after "(c)" strike all of the material down to and including the period on page 2, line 6, and insert:

"In the first statute implementing this amendment the highest rate of the rate schedule for a net income tax imposed upon individuals shall not exceed six and one-half percent and the highest rate of the rate schedule for a net income tax imposed upon corporations shall not exceed ten percent. The rate limitations prescribed in this subsection may be exceeded only if those sections of an act which change such rates are enacted by a majority of the members of each of the two houses of the legislature and are referred to the people and approved by a majority vote thereon at a general election.

"(d) From and after the initial adoption of a net income tax act by the legislature, no amendment to such act which changes: (i) the definition of taxable income, (ii) a rate or rates, within the limitations set forth in (a), (b) or (c) above, or (iii) an amount or amounts of taxable income in the rate schedule, shall be valid unless such amendment is enacted by a majority of the members of each of the two houses of the legislature, and is subject to referendum petition."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Mardesich yield? Senator Mardesich, if I read this correctly, once this passes, there are no constitutional restrictions as to the total maximum amount that incomes can be taxed. A simple majority of both houses plus a simple majority of the electorate can extend the income tax to any limits they might want to extend it."

Senator Mardesich: "No, what this says is on page 1, subsection 2(a) and (b) and the language on lines 21 through 26, I am not touching that and that is an absolute because that is simply a restatement of the constitutional law as it is today. To raise the rates above eight and twelve percent, you would have to have a two-thirds majority in each house and absolute referendum to the people. This amendment that I make refers only to that portion between six and one-half and eight, the bill and the constitutional limit. So we still would have a two-thirds requirement in each house to go above these constitutional limits of eight and twelve percent."

Senator Woodall: "But a simple majority can jump from six and one-half to eight?"

Senator Mardesich: "A simple majority could jump from six and one-half to eight but it would be absolute referendum. The people will be allowed to vote on it before that can be put into effect."

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Mardesich yield to a question? Senator Mardesich, the last two lines of your amendment read 'that such amendment is enacted by a majority of the members of each of the two houses of the Legislature and is subject to referendum petition'. Now my question is this, all laws that we pass here are subject to referendum. This does not say that it shall go to the people for the people's vote. It just merely says it is subject to, if somebody wants to get a referendum petition out."

Senator Mardesich: "If you will look at the last sentence of the first paragraph it reads 'the rate limitations prescribed in this subsection,' then if you will read that and up above it refers to the six and one-half initial schedule with respect to individuals and the ten percent rate with respect to corporations. And then this rate limitation prescribed 'may be exceeded only if those sections of an act which would change such rates are enacted by a majority of the members of each of the two houses and are referred to the people, and approved by a majority vote thereon in a general election.'"

Senator Rasmussen: "That is for the first approval. The original approval of this measure."

Senator Mardesich: "That is for approval of any change which would increase the rates above six and one-half percent for individuals and ten percent for corporations. Then subsection (d) applies only to those changes which we might make within the internal subject matter of the bill as it provides, changes that do not necessarily go directly to the rates. As to those, you would still have simply the right to referendum."

Senator Rasmussen: "Those would not go to the people for a vote then?"

Senator Mardesich: "Those would not be absolute referendum. Those would be simply the right to referendum."

## POINT OF INQUIRY

Senator Guess: "Would Senator Mardesich yield? Senator Mardesich, it says that the rates are rates within the limitations set forth in (a), (b) or (c) above. If I am reading right the rate (a) is eight percent and then (b) is the schedule. Now you have said that you could change this by a majority vote. You could change (b) by a majority vote."

Senator Mardesich: "No, you have not because (d) if you will read it closely and paraphrasing by skipping parts says, 'no amendment to such act which changes a rate or rates within the limitations set forth in (a), (b) or (c) above.' So that when you say 'within the limitations set forth above,' then you have automatically excluded those possibilities."

## POINT OF INQUIRY

Senator Lewis (Bob): "Will Senator Mardesich yield, please? Senator Mardesich, would you comment also on that portion in the second paragraph which says, 'the definition of taxable income,' and if I read this correctly the legislature by simple majority may or may not change the definition of taxable income. Would you comment on that please? That could be an area of concern to some, I think."

Senator Mardesich: "That is correct. That is the effect of this amendment. It merely leaves subsection (c) as it was before but merely adds as one of the exclusions the new section as I have added, new subsection (c). I have not changed the rest of it. So changes in definition of taxable income would be subject to a passage by a simple majority in each house and would be the subject of referendum, have to be instituted by the people."

The motion by Senator Mardesich carried and the amendment to the amendment by Senator Grant was adopted.

Senator Canfield moved adoption of the following amendment to the amendment by Senator Grant:

On page 1, line 16, after "percent:" insert "PROVIDED, That any adjustment of the rate of individual net income tax will be proportionately reflected in the rate of net income tax imposed on corporations and any adjustment of the rate of net income tax imposed on corporations will be proportionately reflected in the rate of net income tax imposed on individuals:"

## POINT OF INQUIRY

Senator Scott: "Will Senator Canfield yield? For purposes of clarifying the record, Senator Canfield, I assume you mean by your amendment not that when the corporate tax is raised by a full percentage point and the individual rate would also have to be raised by a percentage point. You are speaking to the total amount of money raised, individuals vis-a-vis corporation. What I am driving at, if you raise the corporate rate a percent and the individual rate a percent the result might or might not be a balance or a retention of a balance."

Senator Canfield: "Senator Scott, I think that I would like to leave this to the tax experts. My thinking was that it would be a proportional increase, perhaps a ten percent corporate increase would be a ten percent personal increase. Something on that order. Now I know this bill provides for step increases and I do not think the bill necessarily means that you would have to adopt a specific step increase but I do believe that it could mean a percentage increase."

Debate ensued.

## POINT OF INQUIRY

Senator Guess: "Would Senator Durkan yield? Senator Durkan, I could not quite follow your remarks awhile ago by saying that this bill has shifted one hundred and fifty-six million dollars to, and I would suppose the individual citizen, and your rationale was that we would not want to adopt the amendment because we would not want to perpetuate the inequity. Is there some way of, is there machinery in mind to change this thing on a continuing basis so that the inequity is wiped out?"

Senator Durkan: "In answer, no, I do not think that there is any intent to all of a sudden go and put it back on corporations or any one like that. I think many of us who have sat here recognize at any given moment we do not need a constitutional amendment to pass a flat business and occupation tax or a flat corporation tax. We could always have gotten twenty-five votes for that. I think you are aware of that. But what it does do is, it eliminates the special levies on corporations, which is a very large part of the business community's expense. It also reduces the business and occupation tax and it eliminates the inventory tax. When you do those three things and you still have to raise the additional revenue to run the state, then the only way you can do it and still limit the rates, which we have already done in the Constitution, is that the individual has to pick that up, and that is what we are doing. We are saying, in effect, that we think that the state as a whole will

prosper by the fact of an income tax and the distribution of the taxing system. So we are willing to take that chance."

Senator Guess: "Now the bill establishes then the eight percent for the individual and the twelve percent for the corporation, or ten percent for the corporation. Then do we mean to march down through history in lock step or is there something in the back of somebody's mind that is going to change the relationship and change the balance? Does the amendment do anything to the rationale that we have adopted here? This is what I am trying to go for."

Senator Durkan: "No, I think the amendment is going to establish a means by which with the growth of the population in the state which will contribute to the growth of revenue and we hope which will encourage stronger business industry to come to the state. We will then begin to establish a continuous flow of revenue which will take the place of the business and occupation tax, if you will, and the inventory tax, and get rid of the special levies. So what we are really saying here today is that the members of this body are willing to take the chance that when this measure passes, along with the bill, that it is going to start producing enough revenue so that the corporate entities of this state are going to prosper too and therefore the people who work for them will. But nevertheless, let us understand clearly that there is a shift of the tax burden from the business entities onto the individual, but in order to get the revenue and in order to get participation from the business industry, we are willing to take that chance."

Senator Guess: "Then what would be the problem of tying the two rates together? One cannot go up without the other or one cannot go down without the other. This is one of those things, it seems to me, that would help sell the bill."

Senator Durkan: "Mainly because many of us have already taken the one step by which we have said we are prepared to go this far, of one hundred and thirty-eight million dollars shift. We are not prepared to say that we are going to continue that inequity in the future. There may be other times and other legislators who sit here who will want to increase the individual tax or who may want, because businesses have grown and prospered, that the business corporation should assume a larger burden. I see nothing wrong with that."

Senator Guess: "Thank you."

The motion by Senator Canfield failed and the amendment to the amendment by Senator Grant was not adopted on a rising vote.

On motion of Senator Mardesich, the following amendment to the amendment by Senator Grant was adopted:

On page 1, line 24, after "legislature and" strike "is" and insert "are".

On motion of Senator Whetzel, the following amendment to the amendment by Senator Grant was adopted:

On page 2, line 25, after "legislature and" strike "is" and insert "are".

On motion of Senator Whetzel, the following amendment by Senators Whetzel and Bottiger to the amendment by Senator Grant was adopted:

On page 2, line 11, after "legislature" and before the period strike all material down through and including "districts" on line 15.

Senator Clarke moved adoption of the following amendment by Senators Clarke and Jones to the amendment by Senator Grant:

On page 3, line 1 of the Grant amendment, strike the period and insert "in excess of an amount equal to fifteen percent of its previous year expenditures for maintenance and operation."

Debate ensued.

#### POINT OF INQUIRY

Senator Murray: "Will Senator Clarke yield to a question? Senator Clarke, my understanding from our conversation was that your intent in this is to permit a district to, in effect, raise moneys over and above the basic needs as defined by the legislature and that this would not be a substitution for the basic needs. Is that correct?"

Senator Clarke: "Yes, that is quite correct and I can illustrate that by my previous illustration of assuming a thousand dollars per student. Now in the event that the state,

from its five hundred, would come up to seven hundred and fifty dollars, why obviously if they wanted to maintain their present level of a thousand dollars, that is what the fifteen percent would go for. So the answer is very obviously that this would be something over and above the basic provided by the state. If they were getting the basic from the state and if they were content with that and that was the only program they wanted to offer, there would be utterly no excuse to ask the voters to contribute an additional amount because their program would be completely funded."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Whetzel yield? I hear different arguments. Some people say that if we put this on it betters the chance of beating it and some say if you keep it off. I would like to find out which way betters the chance of beating it and then I will know which way I want to vote."

Senator Whetzel: "Well, I would like to help you on that. I have mixed feelings myself, in terms of passing at the polls, although I am for Senate Joint Resolution No. 109."

#### POINT OF INQUIRY

Senator Dore: "Would Senator Whetzel yield to a question? Did not you just offer an amendment striking the language on page 2, lines 11, 12, 13, 14 and 15? Would not that enable the legislature to have a formula recognizing disadvantaged children and things of that nature?"

Senator Whetzel: "We can certainly do that now, Senator Dore, but we have not done it. That is my point, that the formula ends up unfair to some districts. If we would revise our formula it could be handled fairly, we could get the money back. Now you and I are working on this to try to devise some formula for the allocation of some state money this biennium to the relief of special levies and there are a variety of ways of doing it and it has a lot of different impact on different districts. There is no one easy magic formula."

Senator Dore: "I just asked you to get your explanation in the journal because by voting for your amendment and striking that language I thought the legislature could now provide for a different formula, not equal in dollars, provide for additional dollars for those school districts such as Seattle that have disadvantaged children so we really do not need your amendment now allowing for levying additional special mills in these areas which presently are high, because we could pick that back up under . . ."

Senator Whetzel: "We could work out a formula that would guarantee each district that it got back from the income tax proceeds the money that it is now spending for education from special levies. Yes, we could do that. We could adopt such a formula."

Senator Dore: "Right now as a result of your first amendment which has been adopted?"

Senator Whetzel: "That is right."

Senator Dore: "So we do not need your second one?"

Senator Whetzel: "The fact that we have the power to adopt the formula that would do that is not the same thing as adopting the formula, and I think what Senator Clarke is trying to do is to see that there is some provision there for those districts that might not be back at the same level after the adoption of this constitutional amendment as they were before."

#### POINT OF INQUIRY

Senator Lewis (Harry): "Would Senator Clarke yield to a question? Senator Clarke, I understand your amendment is to allow an amount equal to fifteen percent of the previous year's expenditures for M and O and on that basis I calculate that the second year you could be at thirty-two percent of the first year's previous M and O, and on the third year you would be at fifty-two percent. Would you care to comment on this?"

Senator Clarke: "Yes, I think from a practical standpoint that you would not find this to be the fact because you have to have some realistic limitation. The easiest limitation is to

provide just what I have done and that is fifteen percent of the previous year. Now actually, we find in these inflationary times that your budget is going up so that if you levy a tax which is fifteen percent of your previous year's operating budget, you are not achieving fifteen percent of your current year's operating budget. You are going to be behind at least by that inflationary amount."

Senator Lewis (Harry): "But, Senator Clarke, are you saying that my figures are incorrect? That at the third year, excluding inflationary aspects which of course we have lived with for a lot of years here, am I correct in my assumption that the accumulative effect of one hundred and fifteen percent the first year plus one hundred and fifteen percent of that, which my calculations would bring it to a hundred and thirty-two percent of the original year plus fifteen percent on one hundred and thirty-two percent would exceed one hundred and fifty percent of the original year's levy? Are you saying that those figures are incorrect or do you agree with them?"

Senator Clarke: "I am saying that you may be mathematically correct, you are practically very incorrect."

Further debate ensued.

Senators Matson, Canfield and Grant demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be adoption of the amendment by Senators Clarke and Jones to the amendment by Senator Grant.

The motion by Senator Clarke failed and the amendment to the amendment by Senator Grant was not adopted on a rising vote.

Senator Dore moved adoption of the following amendment by Senators Dore and Ridder to the amendment by Senator Grant:

On page 3, line 1, after the period insert a new subsection as follows:

"(f) Notwithstanding the provisions of Article I, section 11, of the Constitution, as amended, individuals sending their children to private schools shall be entitled to such tax credits relative to the cost of non-public education as the legislature shall authorize by law."

Remember the remaining subsections.

Debate ensued.

#### POINT OF ORDER

Senator Washington: "I raise the point of order that this amendment enlarges the scope and object of the resolution and also would bring into question, I have not had time to really thoroughly look into this, but Article I, section 11, is the one that provides that state moneys cannot be used for religious purposes, as I quickly read it and therefore by indirection this would be an amendment to Article I, section 11, and would therefore not be proper under the very restrictive amendment provisions we have in the Constitution."

Debate ensued.

#### POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Dore yield? Senator, it seems like every session something like this comes up and I sat here and I wondered as a member of Ways and Means, why this was not brought up in Ways and Means. I have had the inquiries from some of the Senators here that are not on Ways and Means, and why do you bring this important issue up now and put it up as what I call a threat. I would just like to have an answer why you did not follow the regular procedure in the Ways and Means Committee."

Senator Dore: "When the constitutional amendment was voted out, I was not there. When I offered this the other day, I do not know if you were present or not, the constitutional amendment was not before us, only the bill, and I mentioned it to them that I would offer it on the floor because the constitutional amendment at that time was in the Rules Committee. It was not possible to offer it. But it was discussed and based on the same reasoning I gave on the floor of the Senate, I also gave in the committee the other day."

## RULING BY THE PRESIDENT

The President: "In ruling on the point of order as presented by Senator Washington, the President finds that the measure under consideration is a proposed constitutional amendment setting the limits and guidelines for a proposed income tax. The measure pertains not only to tax limits and ceilings, but prescribes what authority the legislature has to alter the original tax implementing bill. A proposal which permits the legislature to make certain exemptions or to give certain credits is properly part of the proposal under consideration. The point of order, therefore, is not well taken."

Senator Greive demanded a roll call on the amendment by Senators Dore and Ridder to the amendment by Senator Grant and the demand was sustained by Senators Day, Stortini, Dore, Van Hollebeke, Durkan, Mattingly, Scott, Knoblauch and Connor.

Further debate ensued.

Senator Talley moved that the amendment to the amendment be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Herr, Van Hollebeke, Connor, Dore, Knoblauch, Metcalf, Grant, Marsh and Ridder.

## ROLL CALL

The Secretary called the roll and the motion by Senator Talley carried and the amendment by Senators Dore and Ridder to the amendment by Senator Grant was laid upon the table by the following vote: Yeas, 31; nays, 18.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Jolly, Jones, Lewis (Harry), Mardesich, Matson, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Scott, Sellar, Stortini, Talley, Walgren, Wanamaker, Washington, Woody—31.

Voting nay: Senators Connor, Dore, Greive, Guess, Herr, Keefe, Knoblauch, Lewis (Bob), Marsh, Mattingly, Metcalf, Peterson (Lowell), Ridder, Sandison, Twigg, Van Hollebeke, Whetzel, Woodall—18.

Senator Whetzel moved adoption of the following amendment by Senators Whetzel and Scott to the amendment by Senator Grant:

On page 2, line 11 before the period after "legislature" insert ": PROVIDED, That every school district shall receive no less than an amount equal to its per pupil expenditure for the fiscal year ending June 30, 1974, or the average of per pupil expenditures for three fiscal years prior to June 30, 1974, whichever is greater"

Debate ensued.

There being no objection, the amendment by Senators Whetzel and Scott to the amendment by Senator Grant was withdrawn.

Senator Whetzel moved adoption of the following amendment to the amendment by Senator Grant:

On page 3, line 4, after "property" on line 4, strike the rest of line 4 and before "held" on line 5, strike "legislature and".

Debate ensued.

## POINT OF INQUIRY

Senator Whetzel: "I wonder if Senator Gardner would yield? Is it your intention in leaving this language in to be restricted to the narrow definition of section 1221 of the Internal Revenue Code for capital assets and exclude all those things that are considered section 1231 assets?"

Senator Gardner: "No, Senator Whetzel. That is not necessarily my intention. My intention is to stay with that definition for the time being, inasmuch as it is an accurate and factual definition, and continue to work as I have been and with others to try to expand upon it within the definition of capital assets as they relate to page 26, article 26 of the implementing statute."

Senator Whetzel: "Do not you share my concern that having used the words 'capital asset' here we may be restricting ourselves when we come to define it to things that would,



by our state Supreme Court, have to be defined as capital assets? For example, do you think our Supreme Court would say that a building used in an industrial plant might or might not be considered a capital asset? They have got at least the precedent of the Internal Revenue Code that says that is not a capital asset, since that is property that is used in trade or business."

Senator Gardner: "Senator Whetzel, within the Internal Code we have sections other than 1221, such as 1231, 1235 and others which provide for exclusions based on the definitions which you just listed, even though it acknowledges that the facts that you just related are not capital assets. You still can take either depreciation deductions or other types of deductions. Now I think our job, in essence, is to go into the implementing statute and determine to the extent that we are able to do so how we want to make that definition within the state."

Senator Whetzel: "Suppose I modified my amendment to say on line 4, in the case of property defined by the legislature, would that solve the problem that I have here? We are not writing in our Constitution that it must be a capital asset, that our state Supreme Court must find it is a capital asset, and has a chance to look over our shoulder, so to speak, that if we write something in a statute saying it is a capital asset, suppose we come to the point, say inventory, that we decide that we want to exclude gain from inventory, and the Supreme Court says, 'Oh no, your hands are tied, legislature, because you said it must be a capital asset and obviously inventory is not a capital asset.' That is the kind of situation I think we lock ourselves into by using that language here in the Constitution, and I am completely sympathetic with your point that we have to define property and I am perfectly willing to do that, but do you think if I could amend my amendment to say, instead of striking out as a capital asset by the legislature, 'defined as a capital asset by the legislature' just strike 'as a capital asset' so we have 'property defined by the legislature.' That does give us the flexibility to write in the statutes a definition that will solve the problems of the taxpayers of the state."

Senator Gardner: "Senator Whetzel, you and I are in accord on what we are trying to do here, but conversely I read the language to the extent that it says, 'property defined as a capital asset by the legislature', which I would interpret in effect to mean that as a legislature we could determine what is or is not a capital asset, and on that basis I think at the moment I would be more comfortable leaving it the way it is."

Senator Whetzel: "I just think we are getting a problem because as I look under some of these things here under section 1231, if we wanted to include them, an unharvested crop, is that a capital asset? Is growing timber, is timber a capital asset? Is livestock, cattle and horses and other livestock, are they capital assets or are they not? It is going to take a state Supreme Court decision to decide. I just see the possibility of the legislature including something and the tax collector saying, 'Oh no, you have defined it but it is not a capital asset. It is an asset but not a capital asset.'"

Senator Gardner: "Senator Whetzel, as I commented when I originally began to speak in opposition to your amendment, several of us are working very hard to make the determination which you have asked here. Until, at least in my own instance and I guess the caucus to some extent is looking to me for advice on this, I am satisfied that we can switch the words 'capital assets' to some other language. I would recommend that we stay with the language which is currently in the constitutional amendment at this point in time and if in the course of working on this, which we will continue to do, we come up with a better definition, then we will work to have it changed as this gets over to the House."

Further debate ensued.

The motion by Senator Whetzel failed and the amendment to the amendment by Senator Grant was not adopted.

On motion of Senator Mardesich, the following amendments to the amendment by Senator Grant were adopted:

On page 1, line 12, after "corporations" and before the period insert "not subject to repeal pursuant to the provisions of section 1, subsection (a) of Article II of the Constitution".

On page 3, strike lines 11 through 13.

On motion of Senator Clarke, the following amendment to the amendment by Senator Grant was adopted:

On page 4, line 2, strike "it is the intention of the legislature that in" and insert "In".

The motion by Senator Grant carried and the amendment, as amended, was adopted.

On motion of Senator Mardesich, Engrossed Senate Joint Resolution No. 109 was advanced to third reading, the second reading considered the third, and the resolution was passed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Wanamaker: "Will Senator Metcalf yield to a question? Senator Metcalf, I have heard you speak many times on this floor of eliminating, removing special levies on property. In your opinion, does line 32, page 2, do this?"

Senator Metcalf: "Senator Wanamaker, the intent of this constitutional amendment is clearly spelled out in lines 32 and 33 on page 2. That intent is that special school levies on property shall not be allowed while an income tax is in effect."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 109, and the resolution passed the Senate by the following vote: Yeas, 39; nays, 10.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—39.

Voting nay: Senators Atwood, Clarke, Guess, Jones, Lewis (Harry), Matson, Mattingly, Neuschwander, Twigg, Woodall—10.

ENGROSSED SENATE JOINT RESOLUTION NO. 109, having received the constitutional two-thirds majority, was declared passed.

#### SECOND READING

SENATE BILL NO. 2247, by Senators Mardesich, Grant, Bailey, Ridder, Bottiger and Walgren:

Revising state tax structure.

#### MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2247 was substituted for Senate Bill No. 2247 and the substitute bill was placed on second reading and read the second time in full. The bill was discussed in the Committee of the Whole on Wednesday, April 4, 1973.

Senator Jolly moved adoption of the following amendment:

On page 14, section 6, line 22, strike "purebred" and on page 14, section 6, line 23, after "purposes" strike "where said animals are registered in a nationally recognized breed association".

Debate ensued.

#### MOTION

On motion of Senator Durkan, the amendment by Senator Jolly was ordered held for consideration at a later time.

#### MOTION

At 5:35 p.m., on motion of Senator Mardesich, the Senate recessed until 6:15 p.m.

EVENING SESSION

The President called the Senate to order at 6:15 p.m.

MOTION

On motion of Senator Mardesich, Senator Talley was excused.

SECOND READING

SUBSTITUTE SENATE BILL NO. 2247, by Senators Mardesich, Grant, Bailey, Ridder, Bottiger and Walgren:

Revising state tax structure.

The Senate resumed consideration of Senate Bill No. 2247 on second reading.

Senator Rasmussen moved adoption of the following amendment:

On page 2, section 1, line 8, after "education" insert a period and strike the remainder of the section.

POINT OF INQUIRY

Senator Clarke: "Will Senator Rasmussen yield to a question? By putting it after 'education' and striking 'for all school districts', does this mean to guarantee basic education through higher education?"

Senator Rasmussen: "No, basic program of education."

Senator Clarke: "How far does that go?"

Senator Rasmussen: "I will yield to Senator Durkan."

REMARKS BY SENATOR DURKAN

Senator Durkan: "Mr. President, it is intended to mean the K-12 schools and that, in the code, in the RCW, basic education is spelled out as kindergarten through the twelfth grade. We could put in basic education, but it seems to me it is superfluous, the same as in the Constitution. If you wish we could put in 'basic education as defined by the legislature'."

Senator Clarke: "The reason for my asking the question was that first you did not strike 'school districts' and then you struck them, and I wondered what the significance of that was."

Senator Durkan: "The Constitution we have 'as defined by the legislature' and so I thought the language would be 'basic education' and probably Senator Rasmussen has said, 'basic education as defined by the legislature' would probably then dovetail in with the Constitution and we could add those words if you wish."

The motion by Senator Rasmussen carried and the amendment was adopted.

Senator Whetzel moved adoption of the following amendment by Senators Whetzel and Scott:

On page 2, line 8 before the period after "education" insert "PROVIDED, That every school district shall receive no less than an amount equal to its per pupil expenditure for the fiscal year ending June 30, 1974, or the average of per pupil expenditures for three fiscal years prior to June 30, 1974, whichever is greater."

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Would Senator Scott yield? Senator Scott, we gave the schools another mill in Substitute Senate Bill No. 2346 that passed the Senate. This does not take into account the way it reads is that no matter what the school's expenditure for per pupil guarantee is, that the state has to pick the whole thing up. It does not talk about just loss of special levies. It talks about everything. So you are taking the eight mills, excluding the eight mills and requiring the state to pick up the entire per pupil expenditure of funds by local school districts. That is what it says, isn't it?"

Senator Scott: "Senator Atwood, it does not say that they get any more money than they are getting now. They have to come up to the same amount of money."

On motion of Senator Walgren, the amendment by Senators Whetzel and Scott was laid upon the table.

There being no objection, the amendment proposed by Senator Jolly to page 14 was withdrawn.

Senator Whetzel moved adoption of the following amendment:

On page 26, line 27, after "1221" and before "of" insert "and 1231", and after "Code" and before the period insert ": PROVIDED, That assets as defined in section 1231 of the Internal Revenue Code shall be given the same treatment accorded 1231 assets under federal tax regulations".

Debate ensued.

The motion by Senator Whetzel failed and the amendment was not adopted.

On motion of Senator Gardner, the following amendment was adopted:

On page 28, section 82A-3, line 26, after "(19) Person" and before the period insert "or Individual" and after "person" and before "shall" insert "or individual".

On motion of Senator Guess, the following amendments were adopted:

On page 31, line 7, after "states" and before "in" insert "other than Washington state".

On page 34, line 2, after "states" and before "in" insert "other than Washington state".

On page 37, line 21, after "states" and before "in" insert "other than Washington state".

On motion of Senator Gardner, the following amendments were adopted:

On page 31, Section 82A-4, line 12, after "deducted" and before "in", insert "except the tax imposed by RCW 82.04 (business and occupation tax)".

On page 31, Section 82A-4, lines 13 through 17 strike all of subsection (c) and renumber the remaining lettered subdivisions of subsection (1) of the section consecutively.

On page 31, Section 82A-4, following line 20, insert: "(d) Add the amount of any deduction taken pursuant to section 613(b)(1) of the Internal Revenue Code."

Renumber the remaining lettered subdivisions of subsection (1) of the section consecutively.

On page 31, Section 82A-4, line 22, after "obligations," strike the remainder of line 22 and through "obligations," on line 23.

Vice President Pro Tempore Keefe assumed the Chair.

Senator Gardner moved adoption of the following amendment:

On page 31, Section 82A-4, line 32, beginning with the comma following "Internal Revenue Code" strike all of the matter down to and including "tax purposes" before the period on page 32, line 1.

#### POINT OF INQUIRY

Senator Woody: "Would Senator Gardner yield? Under the Internal Revenue Service on individuals the medical deduction is that which exceeds three percent of the adjusted gross income. At least I presume that is still the law. Are we changing that at all so that under this state income tax package the deduction would be that only which exceeds three percent of the adjusted gross income?"

Senator Gardner: "No, we are not, Senator Woody. We are not changing that at all. Those provisions still apply."

Senator Woody: "Well then, by adopting your amendment not all of the medical bills of a family during a year would be deductible but only that which exceeded three percent. Is this correct?"

Senator Gardner: "I think I have the answer but give me the question again."

Senator Woody: "Basically, what I want to know is, if a person has fifty dollars worth of medical bills in one year, the entire family, and they earn ten thousand dollars, the ten thousand dollars being adjusted gross income, obviously the fifty dollars does not equal three percent of their adjusted gross income. Under the Internal Revenue Code they could

not deduct that fifty dollars. If we adopt your amendment, could that taxpayer in the state of Washington deduct that fifty dollars?"

Senator Gardner: "Senator Woody, my understanding of this is that this does follow the federal guidelines and the amendment which I have proposed does not relate to your question at all. In other words, it makes no difference. By striking the language I have stricken it does not change what can be done by this subsection of the act."

#### REMARKS BY SENATOR WHETZEL

Senator Whetzel: "I disagree. I think Senator Woody has got the point that if you take this language out, unless you exceed three percent of your adjusted gross for federal tax purposes you cannot take it for state purposes. Now I do not know whether it was wise or not to allow more generously under the state income tax but that is what this proviso, I think, does that Senator Gardner is striking. If you strike it you are limited to the same degree as you are under the federal income tax. If you leave it in, it will be more generous."

#### REMARKS BY SENATOR WOODY

Senator Woody: "I would like to support that by looking at page 32, line 1. It says 'taken for'. That is not medical obligations incurred and paid for, that is taken for. So on your Internal Revenue Service form under the particular deduction section you can only apply and take deductions, the amount which exceeds three percent. I would rather have the entire language in so that people with perhaps amounts less than three percent or even those people with amounts more than three percent can include the entire amount of medical and hospital bills incurred that year, rather than just that which exceeds three percent."

#### REMARKS BY SENATOR DURKAN

Senator Durkan: "Mr. President, Senator Woody, you are correct but the language is superfluous if you accept the premise that the word 'allowable' refers back to the federal income tax and you have to itemize it and if you accept that, then the language is superfluous."

#### REMARKS BY SENATOR WOODY

Senator Woody: "It is correct. I am sorry. The term 'allowable' is a word of art in tax work and it is allowable under the Internal Revenue Code even though it is not, does not exceed three percent."

The motion by Senator Gardner carried and the amendment was adopted.

On motion of Senator Gardner, the following amendment was adopted:

On page 32, Section 82A-4, beginning with "(i) Deduct" in line 11, strike all of the matter down to and including the period after "uniforms" in line 16 and insert the following:

"(i) Deduct the amount paid by a taxpayer during the taxable year for necessary employee employment expenses, other than expenses deducted in arriving at adjusted gross income, including but not limited to union or professional association dues, fees to secure employment, work tools and required uniforms to the extent allowable as an itemized deduction under the Internal Revenue Code."

Senator Whetzel moved adoption of the following amendment:

On page 32, section 32A-4, line 16, after the period insert a new subsection as follows: "(j) Deduct an amount equal to the itemized deductions allowable to the taxpayer for federal income tax purposes under section 163 (interest), 164 (taxes), 165 (losses), and 170 (contributions) of the Internal Revenue Code."

Reletter the remaining subsections consecutively.

Debate ensued.

President Cherberg assumed the Chair.

Senator Matson demanded a roll call and the demand was sustained by Senators Atwood, Bailey, Guess, Canfield, Twigg, Lewis (Bob), Wanamaker, Jones and Marsh.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Lewis yield to a question? Senator Lewis, the ordinary man starting out to buy a home, out of his first payment, say he is paying seventy-five dollars a month, about how much of that is actually interest and how much of it is going toward the principal when he first starts out?"

Senator Lewis (Bob): "It depends on the size of his down payment, of course, and the years, but quite a bit. A substantial amount. Is that good enough?"

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Whetzel was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Newschwander, Peterson (Ted), Rasmussen, Sellar, Twigg, Wanamaker, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—29.

Excused: Senator Talley—1.

On motion of Senator Gardner, the following amendment was adopted:

On page 34, Section 82A-5, line 24, after subsection (g) add a new subsection (h) to read as follows:

"(h) Add in the case of a cooperative association patronage dividends to the extent deducted in computing federal taxable income."

Renumber the remaining subdivisions of subsection (1) consecutively.

Senator Gardner moved adoption of the following amendment:

On page 37, Section 82A-6, line 26, after "deducted" and before "in" insert "except the tax imposed by RCW 82.04 (business and occupation tax)".

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Gardner yield? Does the professional and the personal service man who pays business and occupation tax to the cities get a deduction?"

Senator Gardner: "Yes, that was done earlier, Senator Atwood. Senator, the next three or four amendments are identical to ones we took earlier with regard to individuals in the situation which you mentioned. Now this is just going to do it for trusts in the state."

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Gardner yield to a further question? Senator Gardner, does this bill preempt the cities' business and occupation tax?"

Senator Gardner: "No."

Senator Rasmussen: "Well if not, why not? The reason I am asking, Senator Gardner, these look like the landlord-tenant amendments. They must have been drawn by an attorney."

Senator Gardner: "I hate to tell you this, but most of these were done by myself and that is why, when you get outside the area in which I have some knowledge, I really cannot answer your questions."

Senator Rasmussen: "The reason I asked that question is that this is a running fight between the cities, of course, and the rural areas, the counties that have no business and occupation tax, and there is always an argument about how much of their business is done in the city and how much is done outside the city in the case of a person who is located

outside, and that is why the question arose in my mind that if you preempt the business and occupation tax, then you would equalize it."

Senator Gardner: "In answering your question, Senator Rasmussen, it is not a matter of preemption. This is a matter of whether or not you can take a deduction with regard to your tax as it relates to the business and occupation tax. If there is a city or local business and occupation tax on top of the state business and occupation tax, then that is susceptible to deductions under this statute."

Senator Rasmussen: "It will be a separate deduction?"

Senator Gardner: "It will be a business and occupation tax deduction for the same extent that you pay the tax you get the deduction."

The motion by Senator Gardner carried and the amendment was adopted.

Senator Gardner moved adoption of the following amendment:

On page 37, Section 82A-6, lines 27 through 30 strike all of subdivision (c) of subsection (1) and renumber the remaining lettered subdivisions of subsection (1) of the section consecutively.

#### POINT OF INQUIRY

Senator Dore: "Senator Gardner, could you just give us a brief explanation?"

Senator Gardner: "Senator Dore, this will be the same explanation I just gave a few minutes ago with regard to the amendment on page 31. The explanation is this, that we are not allowed by federal law to tax the income on U.S. obligations, but in the drafting of the bill we also took in the sale or exchange of those obligations. Now when you get into tax law, Senator Dore, you have to make the distinction between income and gain, income being interest in this matter and gain being the profit or loss from the sale or exchange of an obligation. What this amendment does is to clarify distinctly the fact that we cannot touch from a tax standpoint the income on a U.S. obligation but we can tax, and you can take as a deduction, any gain or loss from the sale or exchange of that obligation if you owned it."

Senator Dore: "You mean, this is the capital gains section here and you have to declare the gains and deduct the loss? Is that what you are trying to say?"

Senator Gardner: "That is correct. I am also saying at the same time, Senator Dore, that the state cannot tax the income."

Senator Dore: "They cannot? Why not?"

Senator Gardner: "Senator Dore, let me go through it again. You have got to make the distinction between income and gain, which in normal terminology is the thing that we link as one and the same, but when you get into tax law, income refers to interest and gain refers to the profit or loss of the transaction. Now federal law says that we cannot tax income, or what you and I know as interest, on U.S. obligations. It also says that we can tax the gain from a sale, for example, Senator Dore, if you bought a bond at a discount and it matured at par and you had that gain, that is a taxable gain. And so we are saying in effect that is just base for the state."

Senator Dore: "Well, I thought in the first section of the bill we defined as net income all income from the tax exempt bonds and stocks under the federal system. That was the distinction. Now are we putting all these deductions back in again?"

Senator Gardner: "This is not a deduction. In fact, Senator Dore . . ."

Senator Dore: "I am a tax lawyer. I understand. You do not have to explain."

Senator Gardner: "This is an instance where rather than a deduction, we are actually saying that the state can get a little more than it said originally."

#### POINT OF INQUIRY

Senator Rasmussen: "Senator Gardner is just getting warmed up. I would like to ask him another question. Senator Gardner, I am like Senator Dore, I am a little bit confused. You mean that if I have all my money invested in U.S. notes or Fanny Mays or similar obligations, that then I will not have to pay income tax under this bill?"

Senator Gardner: "Senator Rasmussen, in fact you had money which you could have invested in U.S. obligations you would not have to pay a tax on the income, which you and

I know as interest on those obligations. But suppose you bought those obligations at what we call a discount or you bought them at a premium and you waited until maturity on those obligations. The gain or the loss in that instance would be taxable."

Senator Rasmussen: "Taxable at full rates?"

Senator Gardner: "That is right. At the rate as it is taxable at the federal level."

Senator Rasmussen: "Well, obviously if I have very much money I am going to get it in all U.S. government obligations then."

Senator Gardner: "Senator Rasmussen, if I were you, I would not do that."

Senator Rasmussen: "Being me, I won't, because I do not have that kind of money. But I can understand other people who would."

The motion by Senator Gardner carried and the amendment was adopted on a rising vote.

#### POINT OF INQUIRY

Senator Dore: "Could I ask a question, Senator? Senator Gardner, you apparently passed an amendment earlier that changed the effect of the bill where income is not any income from stocks or bonds. Is that what you did earlier? Now you are making conforming amendments?"

Senator Gardner: "Senator Dore, we are only talking in this particular instance about U.S. obligations which are basically bonds. It does not have anything to do with stocks."

Senator Dore: "In other words we had earlier in here that all these non-taxing municipal bonds would be taxed as income. That was changed and now you are conforming all these other sections to . . ."

Senator Gardner: "Absolutely not. Senator Guess came in on his own and I am having even second thoughts about his amendment. But what his amendment did, Senator Dore, was this, that the law says, again, that we cannot tax the income from a U.S. obligation but between states on bonds and municipal bonds included, you can tax. So all Senator Guess said was, in effect, that if you owned a municipal bond from Alabama or New York or California we can tax that, but if you own a municipal bond of the state of Washington, any municipalities here, we cannot tax it. The purpose for Senator Guess doing that, I assume, is that he figures that if there is going to be money spent in the municipal bond area, he would like to encourage local money to be spent locally."

Senator Dore: "I have another question now. Is that a proper classification, state of Washington bonds should have special treatment than other municipal bonds?"

Senator Gardner: "That is correct, Senator Dore."

Senator Dore: "I know you can do that in bidding but I doubt whether you can do it under the Constitution, if it is a proper classification."

On motion of Senator Gardner, the following amendments were adopted:

On page 37, Section 82A-6, after line 30, insert the following:

"(c) Add the amount of deduction taken pursuant to section 613(b)(1) of the Internal Revenue Code."

Renumber the remaining lettered subdivisions of subsection (1) of the section consecutively.

On page 37, Section 82A-6, line 32, after "obligations," strike the remainder of line 32 and through "obligations," on line 33.

#### POINT OF INQUIRY

Senator Rasmussen: "I should have asked my question before that amendment was adopted. It still is not clear to me, Senator Gardner, if you are going to tax the gains why you should not give them credit for the losses. You do under the federal."

Senator Gardner: "They do get credit for the losses, Senator Rasmussen."

Senator Rasmussen: "It does not say that here."

Senator Gardner: "Senator Rasmussen, any time that you tax the gain, it is axiomatic that you get credit for the losses. What we are just saying in this amendment is, again, that we cannot touch the income but the gain or losses we can account for."



Senator Rasmussen: "It is taxable at full value and deductible at full value of the loss?"  
 Senator Gardner: "That is correct."

REMARKS BY SENATOR GARDNER

Senator Gardner: "As long as I have the floor, Mr. President, I might add that in answer to Senator Dore's question earlier that not all U.S. obligations are tax exempt and in fact all the current series of U.S. obligations are taxable, so this would just apply to those which on the federal basis are exempt."

Senator Gardner moved adoption of the following amendment:

On page 38, Section 82A-6, lines 10 through 14, strike all of subdivision (f) of subsection (1), and reletter the remaining subdivision.

POINT OF INQUIRY

Senator Whetzel: "I support this amendment. I just wanted to ask, I do not see that there is any exemption or standard deduction or anything allowed to a trust or an estate. Is it the intention that a trust or estate has no six hundred dollar or one hundred dollar or three hundred dollar exemption? This is piled on top of the fact that the trust is not allowed to deduct interest or taxes or any of the other things that they are allowed under the federal tax laws? Is that an oversight in this bill or did I misread somewhere that there is one? I just do not see it in here and it looks like we are . . ."

Senator Gardner: "I think, Senator Whetzel, that it is in here, that the trusts and estates have the normal federal deductions and this section, in effect, is a deduction which is allowable at the federal level."

Senator Whetzel: "Well, I disagree. It talks about taxable income. It does not talk about adjusted gross and it does not allow any deductions that are other than are listed here and those are not the normal deductions. It looks like not only are we not giving the trusts and estates any exemption in lieu of the personal exemption, we are also not giving them any of the other itemized deductions that they have under the federal tax law."

The motion by Senator Gardner carried and the amendment was adopted.

Senator Gardner moved adoption of the following amendment:

On page 40, Section 82A-7, line 1, after "return." add the following:

"On computing tax liability, an individual may average his income for the computation of his tax liability for any tax year subject to the conditions and as provided for in sections 1301 through 1305 of the Internal Revenue Code."

POINT OF INQUIRY

Senator Woody: "Would Senator Gardner yield? My memory is not that good. I am not a tax lawyer, but is that a five year, under the federal code 1301 and 1305, that is a five year basis? Is that correct?"

Senator Gardner: "It is five years."

The motion by Senator Gardner carried and the amendment was adopted.

Senator Whetzel moved adoption of the following amendment:

On page 41, Section 82A-10, line 21, after "income" add a new section as follows:

"*NEW SECTION.* Sec. . . . The tax rate on a corporation's or financial institution's net capital gain as defined in Section 1201 of the Internal Revenue Code shall be sixty percent of the tax imposed on corporations and financial institutions under sections 82A-8 and 82A-9."

Debate ensued.

POINT OF INQUIRY

Senator Rasmussen: "Will Senator Whetzel yield to a question? Senator Whetzel, in the case of the individual we are going to tax them on the full gain, are we not?"

Senator Whetzel: "I do not think so. I think that the one-half of the capital gain is deducted prior to computing the adjusted gross income so that the individual is taxed at fifty percent of the individual tax rate for his capital gains but the corporations are taxed at one hundred percent."

Senator Rasmussen: "That was not what I understood Senator Gardner to say."

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Gardner yield to a question? Senator Whetzel was talking about only taxing the corporation on sixty percent of the capital gain. It is my understanding that you replied to a question of mine that we were taxing the individual on the full capital gain. Whatever he may have had that had capital gains on it. My concern is, are we treating the individuals in the same manner as we are treating the corporations or is Senator Whetzel's amendment that he is offering giving the corporation preferential treatment?"

Senator Gardner: "Senator Rasmussen, I think you may be right. I am not going to vote for Senator Whetzel's amendment for a couple of reasons. One, I had the impression in reading through the act, the implementing statute, that the matter of capital gains of both corporations and individuals has been covered in the process of drafting the bill, and secondly, while a lot of my amendments were self-generated, I took every one of them and put them by the people to try to determine what the impact would be before I came out here. I just cannot determine what the impact of Senator Whetzel's amendment is. We have not had time to really have it looked at."

#### POINT OF INQUIRY

Senator Dore: "Senator Whetzel, would you yield? As I understand this section, this applies to tax imposed on financial institutions. It applies only to them, like banks?"

Senator Whetzel: "No, corporations and financial institutions, Senator Dore."

Senator Dore: "The tax rate on a corporation or a financial institution. You are reducing it to sixty percent of what item on line 21. You have 'Commencing January 1, 1985 [sic] and thereafter—Ten percent of taxable income.' Then you apply this to all those sections then."

Senator Whetzel: "That would be in the sections 82A-8 which is the tax imposed on corporations that are not financial institutions and 82A-9 are financial institutions. For other purposes in the act, the financial institutions were separated out, the tax rates are exactly the same, but I think they defined the incidents that are subject to tax a little differently for purposes."

Senator Dore: "Do you have any idea of the tax impact of this?"

Senator Whetzel: "No, I do not because I do not have any idea of what the amount of corporate and financial institutions capital gains will be. I offered it simply because I think its fairness is something that is again somewhat similar to the federal tax law and I think we should recognize that there is some difference in capital transactions from ordinary income transactions."

Senator Dore: "Senator Whetzel, as I understand it, without your amendment the corporation or financial institution is entitled to a capital gain, right?"

Senator Whetzel: "Are not. They pay tax at one hundred percent."

Senator Dore: "One hundred percent? I do not think that is correct?"

Senator Whetzel: "Well, if you can show me where that is treated separately, I would be happy to have that pointed out."

Senator Dore: "As I read your amendment it would be, right now you are entitled to a capital gain which is fifty percent and then you go down to sixty percent of that or on down to thirty percent."

Senator Whetzel: "No, the point here is that individuals are entitled to deduct from their adjusted gross income fifty percent of the gain. Corporations are not. Corporations have a separate tax rate in the Internal Revenue Code. And it may be that is why this was overlooked in this bill because we have talked about adjusted gross income for individuals."

That recognizes the fact that fifty percent of the capital gain is deducted. But when we talk about adjusted gross income for corporations they do not get the same deduction under the federal tax laws for capital gain. The only reason they have a separate treatment for capital gain is because there is a separate provision that sets forth a separate tax rate for capital gain. That is not in this bill. That is what my amendment endeavors to put in."

Senator Dore: "In other words, Senator, there is no capital gain in any other section of the bill and your amendment is to give them, not fifty percent, but to give them sixty percent, in effect."

Senator Whetzel: "That is my purpose."

Senator Dore: "If the bill provides for it you are willing to come back and take this out?"

Senator Whetzel: "I certainly would if fifty percent of the capital gain is deducted elsewhere. I am not entirely familiar with this bill, but I have looked through it and I have had our caucus attorneys look through to see if there was anything that covered it and I have not found anything."

#### POINT OF INQUIRY

Senator Gardner: "Will Senator Dore yield? Senator Dore, would you open your bill to page 33, line 30, please? Will you read with me? Let us follow while I read. Okay, I am going to skip down to where it starts with '(1) "Taxable Income" in the case of a corporation including a financial institution means federal taxable income subject to the following provisions:' Now under that definition, would not you assume that Senator Whetzel's concern is covered by this language?"

Senator Dore: "Now turn the next page on line 11 and read the following: '(d) Add any capital loss carry-over which has been deducted in arriving at federal taxable income, and deduct the capital loss carry-over that would be deductible under the Internal Revenue Code if the Internal Revenue Code had become effective on January 1, 1974.' This is highly technical, but it would indicate that you already have the capital gain there under this particular section. That is why I asked him. I have not analyzed this bill as much as I should have, but I would think that is the capital gains treatment for financial institutions and corporations. By adding this particular amendment on you are reducing the fifty, sixty percent down to thirty. Now maybe I am wrong, but that is the way it hits me off hand."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Dore yield? I am asking you now as a tax lawyer. This morning you were a constitutional lawyer. I am asking you now as a tax lawyer. Seriously, from discussion I have been hearing and I am in all seriousness, if a person sold real estate, you figure it one way for capital gains federally, does or does not your accountant figure it a different way for the purpose of paying state tax? Now, I would just like to know."

Senator Dore: "As I understand it, you are giving them the same deductions, as I read this, and I do a little tax work, but as I read this section that Senator Gardner indicated and that page 34, line 11, it looks to me that you have the capital gain right in that section. By Senator Whetzel's amendment he further liberalizes the capital gains by making it sixty percent of the fifty percent so sixty percent of fifty percent is thirty percent, because you already have that on the federal. That is my understanding. Now maybe I am wrong, Senator, I do not know."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Murray yield? Senator Murray, this is a serious question. We understand capital gains as it now is, if you hold under six is short term, over six is long and so forth. Now a piece of property under this law which you have held over six months, under federal you would only pay on half. Do you get the same in this or do you pay on a different schedule?"

Senator Murray: "I believe that Senator Whetzel is correct, and the reason for that is that the individual will handle a capital loss or a capital gain above adjusted gross income, but the corporation does not have that. So you end up where the taxable income of a corporation has no provision for making the capital gains variation. Taking it one step further, the clause that Senator Dore pointed to, where you add the capital loss carry-over back in and deduct the capital loss gain would indicate that they want to nullify any prior year capital gains or loss. So therefore, I am certain that the net effect of the bill as we now have it would be to negate any deduction for capital gain or any special privilege for capital gain and you will be paying at full hundred percent rate. Now Senator Whetzel's amendment would change the corporation to paying a rate at sixty percent and the individual will pay at fifty percent of the net effect of the gain and/or loss."

Senator Woodall: "Just one more question. You are saying then that Senator Whetzel's amendment, if adopted, would put us on the same as the federal basis. A person buys a piece of land, they hold it more than six months, they net two thousand dollars on it, one thousand goes in your taxable income column at the present time."

Senator Murray: "That is correct."

Senator Woodall: "Will that be the way it is if the Whetzel amendment is adopted?"

Senator Murray: "The Whetzel amendment will affect only the corporation and this would mean that the corporation would then pay on sixty percent of the gain rather than on one hundred percent."

Senator Woodall: "But the individual will still pay on one hundred?"

Senator Murray: "The individual will pay on fifty percent."

Senator Woodall: "So far as an individual is concerned, they will be the same as the federal?"

Senator Murray: "That is correct."

Senator Woodall: "If his amendment is adopted? Or right now?"

Senator Murray: "His amendment will not affect the individual."

#### MOTIONS

On motion of Senator Mardesich, the amendment by Senator Whetzel was held for further consideration later today.

Senator Gardner moved adoption of the following amendments:

On page 41, Section 82A-10, line 26, after the period after "had been made" insert "PROVIDED, That the tax rate on a subchapter S corporation shall be the highest rate imposed upon individuals under section 82A-7."

On page 41, Section 82A-10, line 29, after "tax year" strike all of the matter down to and including "dividend" before the period on line 30, and add "and may deduct any loss of the subchapter S corporation to the extent allowed by the taxpayer in computing his federal income tax liability for the tax year."

#### POINT OF INQUIRY

Senator Clarke: "Would not there also be an advantage in having it handled the same way as under the federal tax, that it would be easier than to make the return?"

Senator Gardner: "The argument as it was given to me, Senator Clarke, and let me preface by saying that I rather had the thought that you have just expressed, was that by taxing it as a corporation you have an identifiable unit there available and the statement from that unit forthwith and that you can assess your tax at one time, whereas if you treat it as a partnership then you have got the problem of tracing down the individual income."

Senator Clarke: "But of course the same thing is being done on a federal level. I personally would prefer handling it identically with the federal level rather than having a differential. It seems to me that that would be the easiest way to do it."

Senator Gardner: "One final comment and then I think others should speak on it. I have proposed two alternatives here for that very reason, Senator Clarke, and I think the members of this body should take a look and make their own decisions. I am not making a recommendation."

Debate ensued.

## POINT OF INQUIRY

Senator Matson: "Would Senator Gardner yield to a question? Under that alternative then, as I understand it, you would, the subchapter corporation would pay at a supposed six and one-half percent rate and then when those earnings were distributed to the stockholders of that corporation they would also pay again on that income at whatever rate they fell under."

Senator Gardner: "In subsection 2, Senator Matson, it says, 'a stockholder of a subchapter S corporation may deduct from his otherwise taxable income any income of a subchapter S corporation attributable to him for the tax year,' so if he pays tax on the income then he can deduct it for his own personal taxes."

Senator Matson: "You say then the answer to my question is no?"

Senator Gardner: "That is the way I read it, Senator Matson. That would also certainly be my intent. I do not think he should get nicked twice."

The motion by Senator Gardner carried and the amendments were adopted.

On motion of Senator Gardner, the following amendment was adopted:

On page 42, Section 82A-11, line 11, after "only" and before "income" strike "when business" and insert "non-business".

Senator Gardner moved adoption of the following amendment:

On page 61, Section 82A-42, line 25, after "assessment" and before the semicolon strike "may be made at any time" and insert "may be made at any time within two years of the date on which the department first learned of the correction".

On motion of Senator Durkan, the following amendment to the amendment by Senator Gardner was adopted:

Amend line 3 of the Gardner amendment to page 61, line 25, as follows:

After "within" strike "two" and insert "one".

The motion by Senator Gardner carried and the amendment, as amended, was adopted.

On motion of Senator Gardner, the following amendments were adopted:

On page 66, Section 82A-54, on lines 4 and 5, strike "It is the intent of this section that the" and insert "The".

On page 66, Section 82A-54, line 5, after "review" and before "provided" insert "of the Board of Tax Appeals decision".

On page 66, Section 82A-56, line 32, strike "elected" and add "held".

On page 67, Sections 82A-57, line 15, beginning with "(4)" strike all of "(4)" and all of "(5)" ending with "employees;" on line 21 and renumber remaining subsections consecutively.

On page 68, Section 82A-57, line 4, after "subsections" strike "(4), (5)".

Senator Donohue moved adoption of the following amendment by Senators Donohue, Atwood, Durkan and Sandison:

On page 69, add a new section to read as follows:

"NEW SECTION. Sec. 61. There is hereby appropriated to the secretary of state from the general fund the sum of one hundred ten thousand dollars, or so much thereof as shall be necessary, to transmit by mail, with postage fully prepaid, the full text of this 1973 act to each individual place of residence in the state and he shall make such additional distribution as he shall deem necessary to reasonably assure that each voter will have an opportunity to study the act at least six weeks prior to the next general election: PROVIDED, That Senate Joint Resolution No. 109, or a similar constitutional amendment, is to be submitted to the people."

## POINT OF ORDER

Senator Bailey: "I raise a point of order that if we want to do this I think we ought to do it in a separate bill because my recollection was that when you have an appropriations bill and a tax bill in the same chapter, it is unconstitutional. The Supreme Court ruled this in 1951 and we had to come back into special session in August of that year and reenact the appropriation bill and the tax bill separately. I raise that point of order at this time."

## REMARKS BY SENATOR WOODALL

Senator Woodall: "I think the case that he is talking about, of course, was when they threw a brand new tax bill and the entire appropriation act were merged together. This, of course, is not an appropriation act. It merely provides for implementation of, as I listened to the Senator, an implementation of this particular measure. So it is not any other new or foreign matter."

## REMARKS BY SENATOR MARDESICH

Senator Mardesich: "I should like to move an amendment to the amendment. Beginning with line 1, strike the words, 'There is hereby appropriated to' and insert in lieu thereof the following language: 'In lieu of the printing and advertising otherwise required by law'. Then on line 2, strike the words, 'from the general fund the sum of one hundred ten thousand dollars or so much thereof as,' leave the word 'shall' in, strike the words 'be necessary to' on the same line so it would then read: 'In lieu of the printing and advertising otherwise required by law, the Secretary of State shall transmit by mail with postage fully prepaid' and so on."

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Mardesich yield to a question? Senator Mardesich, you have me thoroughly confused. I did not know that it was necessary that we advertise any of the laws we pass. A constitutional amendment is a different matter. I would appreciate it if you change your amendment to the amendment to say that the money would be appropriated to the Department of Revenue to explain to the taxpayers after the bill is passed and only if the bill is passed, how to fill out the forms."

Senator Mardesich: "Mr. President, then in view of the fact this is an act rather than a constitutional amendment and does not require any amending, I would change that language when I strike the words on the first line, 'There is hereby appropriated to the', I would insert in there, 'In lieu of any other printing and advertising the Secretary of State shall transmit by mail' and so on. The rest would stay the same. We will have to make an appropriation then in the appropriations bill. If you run into conflict as to whether or not you can appropriate and tax at the same time then we would have to put the appropriation in a separate bill, and the supplemental which we have yet to pass."

There being no objection, the amendment by Senators Donohue, Atwood, Durkan and Sandison was withdrawn.

On motion of Senator Odegaard, the following amendment was adopted:

On page 2, section 1, line 8, after "education" and before the period insert " , as defined by the legislature".

There being no objection, the amendment by Senator Whetzel to page 41, line 21 was withdrawn.

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2247 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## MOTION

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2247 was ordered held on the third reading calendar for Friday, April 6, 1973.

## MOTIONS

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate.

At 8:15 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, April 6, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**TWENTY-NINTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Friday, April 6, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner, Grant, Guess, Henry, Herr, Mardesich, Murray, Scott, Talley and Whetzel.

The Color Guard, consisting of Pages Bruce Moline and Catherine Van Pelt, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR HEAVENLY FATHER, WE THANK YOU ON THIS BEAUTIFUL FRIDAY MORNING FOR THE PROMISE OF YOUR WORD IN PHILIPPIANS 4:13, ‘I CAN DO ALL THINGS THROUGH CHRIST WHO IS STRENGTHENING ME.’ WHAT AN EXCITING POSSIBILITY THIS HOLDS FOR US. MAY NONE OF US HERE LET THIS DAY SLIP FROM HIS GRASP WITH ALL HIS POSSIBILITIES STILL LOCKED UP WITHIN HIMSELF. HELP US, OH GOD, TO RELEASE THE FULL POTENTIAL WITHIN US. THE BIBLE INFORMS US FURTHER THAT THE KINGDOM OF GOD IS WITHIN US, NO MATTER HOW WEAK OR DEFEATED A PERSON SEEMS TO BE, OR HOW TORPEDOED A PROJECT MAY APPEAR. THE ALL-ENCOMPASSING FAITH, HOPE, LOVE, JOY, EXCITEMENT, POWER AND GREATNESS OF THE KINGDOM OF GOD IS WITHIN US. THIS REMOVES THE INFERIORITY AND INADEQUACY THAT HAS HARASSED SO MANY FOR SO LONG. WORK IN AND THROUGH US TODAY, DEAR LORD. ACCOMPLISH THOSE ‘ALL THINGS’ THAT PAUL SPOKE OF CENTURIES AGO. FILL THESE DEDICATED MEN IN THIS LEGISLATURE WITH YOUR POWER, YOUR MIGHT, YOUR WISDOM, YOUR LOVE. YES, LET THE KINGDOM BE IN THEM THIS VERY DAY. THANK YOU FOR A GREAT DAY, FOR A GREAT FAITH, AND FOR GREAT ACCOMPLISHMENT. THROUGH JESUS CHRIST OUR LORD. AMEN.”

**MOTION**

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

March 31, 1973.

SENATE BILL NO. 2910, relating to elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: That Substitute Senate Bill No. 2910 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

April 5, 1973.

SENATE CONCURRENT RESOLUTION NO. 129, providing for a study of election procedures (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Mattingly, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

April 5, 1973.

HOUSE BILL NO. 51, allowing two additional races at horse racing meets (reported by Committee on Commerce):

Recommendation: Do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

April 6, 1973.

ENGROSSED HOUSE BILL NO. 387, implementing law relating to school district organization (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Odegaard.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 485, implementing the laws of insurance rates (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

April 5, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, and has passed the bill as amended by the Free Conference Committee, and said report, together with the bill, is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 5, 1973.

Mr. President: The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2227,

ENGROSSED SENATE BILL NO. 2312,

ENGROSSED SENATE BILL NO. 2339, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 5, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 225,

HOUSE BILL NO. 668,

HOUSE BILL NO. 746, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 123, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.



April 5, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 741, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 5, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 601, and has passed the bill as amended by the Free Conference Committee.

DONALD R. WILSON, Assistant Chief Clerk.

April 5, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 123,

HOUSE BILL NO. 601,

HOUSE BILL NO. 741, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 123,

HOUSE BILL NO. 225,

HOUSE BILL NO. 601,

HOUSE BILL NO. 668,

HOUSE BILL NO. 741,

HOUSE BILL NO. 746.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 2227,

SENATE BILL NO. 2312,

SENATE BILL NO. 2339,

SENATE CONCURRENT RESOLUTION NO. 125.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2922, by Senators Grant, Van Hollebeke, Bottiger and Woody:

An Act relating to parks and recreation; and adding a new chapter to Title 43 RCW.

Referred to Committee on Parks and Recreation.

There being no objection, additional sponsors were permitted on Senate Bill No. 2922.

SENATE BILL NO. 2923, by Senators Bottiger, Fleming and Grant:

An Act relating to the state parks and recreation commission; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Parks and Recreation.

SENATE CONCURRENT RESOLUTION NO. 131, by Senators Grant, Bottiger and Woody:

Providing for study of need to create regional councils to coordinate park development.

Referred to Committee on Parks and Recreation.

MOTIONS

On motion of Senator Bailey, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Saturday, April 7, 1973.

On motion of Senator Bailey, Senate Bill No. 2366 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

On motion of Senator Bailey, Engrossed House Bill No. 736 was ordered held for consideration following Senate Bill No. 2454 on today's second reading calendar.

At 9:45 a.m., on motion of Senator Bailey, the Senate recessed until 11:20 a.m.

### SECOND MORNING SESSION

The President called the Senate to order at 11:20 a.m.

### PERSONAL PRIVILEGE

Senator Peterson (Ted): "I just called Seattle on this to find out how we can get the hundred and thirty thousand pounds of poultry that the Acme Poultry Company in Seattle had referred to. I called and I was willing to work out something here where we could maybe through both houses have raised the money. I was willing to put in a hundred dollars myself and start it, but then I had my secretary call the Acme Poultry Company. I know this is of interest to most in Seattle. They were down to a balance of six hundred dollars and somebody walked in here just ten minutes ago and wrote out a check for six hundred dollars so the poultry of one hundred and thirty thousand pounds for the Neighbors in Need will be on its way to Seattle directly."

### THIRD READING

SUBSTITUTE SENATE BILL NO. 2247, by Committee on Ways and Means (originally sponsored by Senators Mardesich, Grant, Bailey, Ridder, Bottiger and Walgren):  
Revising state tax structure.

### MOTIONS

On motion of Senator Mardesich, Engrossed Substitute Senate Bill No. 2247 was returned to second reading.

Senator Whetzel moved adoption of the following amendment:

On page 35, section 82A-5 after line 7, insert:

"(l) Deduct an amount equal to 40% of the excess of the net long-term capital gains (subsection (d) *gain*) as defined in section 1201(d) of the Internal Revenue Code to the extent the total amount of such gains are otherwise included in the computation of taxable income for the taxpayer for the tax year."

Debate ensued.

The motion by Senator Whetzel failed and the amendment was not adopted.

On motion of Senator Mardesich, Engrossed Substitute Senate Bill No. 2247 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2247, and the bill passed the Senate by the following vote: Yeas, 27; nays, 22.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Talley, Van Hollebeke, Walgren, Washington, Woody—27.

Voting nay: Senators Atwood, Clarke, Day, Donohue, Greive, Guess, Jones, Keefe, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Murray, Newschwander, Peterson (Ted), Rasmussen, Sellar, Stortini, Twigg, Wanamaker, Whetzel, Woodall—22.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2247, having received the 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 Senator Mardesich, Senate Bill No. 2144 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

On motion of Senator Mardesich, the Senate returned to the sixth order of business.

SECOND READING

SENATE BILL NO. 2697, by Senators Washington and Gardner (by Lieutenant Governor request):

Placing certain appointed public officials under financial disclosure requirements.

The Senate resumed consideration of Senate Bill No. 2697, as amended on Tuesday, April 3, 1973.

On motion of Senator Washington, Engrossed Senate Bill No. 2697 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2697, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-43.

Voting nay: Senators Clarke, Lewis (Bob), Matson, Mattingly, Metcalf, Newschwander-6.

ENGROSSED SENATE BILL NO. 2697, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 2289, by Senators Durkan, Bailey and Newschwander:

Gives option to principals and assistant principals of joining together for separate employer-employee negotiations.

REPORT OF STANDING COMMITTEE

March 20, 1973.

SENATE BILL NO. 2289, gives option to principals and assistant principals of joining together for separate employer-employee negotiations (reported by Committee on Education):

Recommendation: Do pass with the following amendments:

On page 1 following the enactment clause, strike the remainder of the act and insert: "NEW SECTION. Section 1. A new section is hereby added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW to read as follows:

Notwithstanding the provisions of chapter 28A.72 RCW or any other law, rule or regulation, school principals and assistant principals shall be considered to be certificated employees unless a majority elect by secret ballot to be excluded from this definition at an election conducted pursuant to rules and regulations of the office of the superintendent of

public instruction. Should the principals and assistant principals within a school district choose pursuant to this 1973 act to be excluded from the definition of certificated employee, the provisions of chapter 28A.72 RCW shall have equal application to them separately and the term "certificated employee" as used in chapter 28A.72 RCW shall be used interchangeably to also refer to principals and assistant principals: PROVIDED, That negotiations between the employer and the bargaining representative of the principals and assistant principals shall be limited in scope to school district policies respecting solely the compensation, hours of work and the duration of employment contracts, of principals and assistant principals. Nothing in this section shall be construed to annul or modify, or to preclude the renewal or continuation of, any lawful agreement heretofore entered into between any school district and any representative of its employees."

Beginning on line 2 of the title, following the semicolon, strike the remainder of the title and insert "and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW."

Signed by: Senators Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendment beginning on page 1 was adopted.

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Durkan, Engrossed Senate Bill No. 2289 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2289, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Voting nay: Senator Ridder—1.

Absent or not voting: Senator Francis—1.

ENGROSSED SENATE BILL NO. 2289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 2456, by Senators Washington, Guess and Henry:

Providing uniformity of definition relating to motor vehicle laws.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendments were adopted:

On page 6, section 3, line 26 strike all of lines 26 to 32 inclusive and insert the following: "([28]) (26) "[Public] Highway," every way, lane, road, street, boulevard, and every way or place in the state of Washington open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns;"

On page 2, section 1, line 14 strike all of lines 14 to 20 inclusive and insert the following: "(12) "[Public] Highway," every way, lane, road, street, boulevard, and every way or place in the state of Washington open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns;"

On motion of Senator Washington, Engrossed Senate Bill No. 2456 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2456, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Jones—1.

ENGROSSED SENATE BILL NO. 2456, having received the 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. 2186, by Senators Bottiger, Gardner and Francis:

Creating a new state examining and disciplinary board for naturopathic practitioners.

#### MOTIONS

On motion of Senator Day, Substitute Senate Bill No. 2186 was substituted for Senate Bill No. 2186 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Day, the following amendment was adopted:

On page 2, section 1, line 10, after "purposes" insert "only".

On motion of Senator Day, Engrossed Substitute Senate Bill No. 2186 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2186, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington—42.

Voting nay: Senators Jones, Sellar, Twigg, Whetzel, Woodall, Woody—6.

Absent or not voting: Senator Connor—1.

ENGROSSED SENATE BILL NO. 2186, having received the 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. 2399, by Senators Francis, Woody and Woodall:

Defining reasonable attorney's fees in eminent domain proceedings.

The bill was read the second time by sections.

Senator Murray moved adoption of the following amendment:

On page 2, line 20, after "section.]" strike all the material down through "services." on line 30 and insert: "*Reasonable attorney fees as authorized in this section shall be determined exclusively on the time expended by the attorney.*"

Debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Fleming, Guess, Walgren, Scott, Stortini, Connor, Talley, Peterson (Ted) and Bailey.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Murray failed and the amendment was not adopted by the following vote: Yeas, 21; nays, 26; absent or not voting, 2.

Voting yea: Senators Bailey, Clarke, Connor, Day, Donohue, Dore, Fleming, Grant, Guess, Knoblauch, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Sellar, Talley, Wanamaker, Washington—21.

Voting nay: Senators Atwood, Bottiger, Canfield, Francis, Gardner, Greive, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Newschwander, Peterson (Lowell), Rasmussen, Stortini, Twigg, Van Hollebeke, Walgren, Wetzell, Woodall, Woody—26.

Absent or not voting: Senators Durkan, Henry—2.

#### MOTIONS

On motion of Senator Scott, Senator Lewis (Bob) was excused.

On motion of Senator Francis, Senate Bill No. 2399 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Francis yield? This question of contingency fee or getting a part of the action in addition, is this true that you get a part of the increase that is gained plus reasonable fees?"

Senator Francis: "Senator Ridder, the fee between the client and the attorney, and I spelled this out on the floor a year ago, but the fee between the client and the attorney is a matter of a relationship between them and that would depend on how they had contracted. The award of the reasonable attorney's fee is set forth in this bill and it is not set forth as a contingent fee. However, you do, I hope, recognize that this is not one where the attorney is guaranteed payment by his client in most cases. It is only if he wins, only if he exceeds by at least ten percent in excess of what the state offers. So what we are talking about is where the state did not offer people enough money or as much money as their home was worth or their property was worth. And in those kinds of situations we are saying if the state was so far short of what the fair market value was, then the state should also have to pay an attorney's fee for having forced those people to have to go to court to get a fair price for their homes."

#### REMARKS BY SENATOR DORE

Senator Dore: "I would like to answer Senator Ridder's question. The answer is, yes, it is possible. There is nothing to prohibit it. In other words, in that example I gave you earlier, if the state offered ten thousand dollars and the jury awarded you twenty thousand dollars, which is more than ten percent, then you would be entitled to your contingent fee and there is nothing to prohibit you from also retaining all of the reasonable attorney's fee offered on top of it. In other words, if the judge thought a reasonable attorney's fee was equal to the contingent fee amount he could award another three thousand three hundred dollars and then the attorney, and I have known some of them, could if the contract read that way get one-third of the increment, thirty-three hundred dollars, plus the reasonable attorney's fee of thirty-three hundred dollars or sixty-six hundred dollars. Now it is possible that the contract would read as I provided in the one I had, about four months ago, the state offered forty-seven thousand. We did not go to court on that but we got eighty

thousand in a settlement. They missed it by a long ways. Well, I got a third of the increment in that particular case. So if we went to court and got that particular deal then I would be entitled to a reasonable fee for trying a case which got an award of forty thousand dollars more. And I think a reasonable fee, taking in the hours we spent, the responsiveness of the attorney and the cleverness of the attorney and the result accomplished, which is a big element, I think if I were a judge I would give . . . .”

#### POINT OF ORDER

Senator Woodall: “The code of ethics. No attorney is supposed to publicly proclaim how clever he is and how good he is and brag about his achievements. That comes under the head of advertising, Senator Dore.”

Senator Dore: “Senator, in answer to Senator Ridder’s question, it is yes, it is possible it would be offset, possible he could keep it entirely. It is possible he could add it to the total award and then take a third of the increment plus the attorney’s fee. It is done all three ways. Perhaps the bill should have been amended after this was raised and put a new section in saying the attorney’s fee awarded shall be offset against any attorney’s fee agreement in the retainer agreement. But for this reason, I am voting against the bill.”

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2399, and the bill passed the Senate by the following vote: Yeas, 30; nays, 16; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Marsh, Matson, Newschwander, Peterson (Lowell), Rasmussen, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Whetzel, Woodall, Woody—30.

Voting nay: Senators Connor, Dore, Fleming, Grant, Guess, Lewis (Harry), Mattingly, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder, Scott, Sellar, Wanamaker, Washington—16.

Absent or not voting: Senators Durkan, Talley—2.

Excused: Senator Lewis (Bob)—1.

SENATE BILL NO. 2399, having received the 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

At 1:00 p.m., on motion of Senator Mardesich, the Senate recessed until 3:05 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 3:05 p.m.

#### MOTIONS

On motion of Senator Mardesich, Substitute House Bill No. 392 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

Senator Guess moved that Substitute Senate Bill No. 2454 be ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

Debate ensued.

The motion by Senator Guess carried on a rising vote.

## SECOND READING

ENGROSSED HOUSE BILL NO. 736, by Representatives Bausch, Anderson and Hendricks:

Establishing base year formula for certain tax districts' excess levies.

## REPORT OF STANDING COMMITTEE

March 22, 1973.

ENGROSSED HOUSE BILL NO. 736, establishing base year formula for certain tax districts' excess levies (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, add a new section following section 1 as follows:

"*NEW SECTION.* Sec. 2. The provisions of this act shall expire on December 31, 1978."

In line 1 of the title after the semicolon and before "amending" strike "and".

On line 2 of the title, after "RCW 84.55.010" and before the period insert "; and providing an expiration date".

Signed by: Senators Donohue, Vice Chairman; Atwood, Bailey, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Scott.

The bill was read the second time by sections.

On motion of Senator Dore, the committee amendment to page 2, adding a new section, was adopted.

Senator Dore moved adoption of the following amendment by Senators Bailey and Dore:

On page 1, line 17 of the engrossed bill, being the House Committee amendment to page 1, line 17 of the printed bill, strike "*or has levied at a lesser rate than that otherwise allowable by law*".

## POINT OF INQUIRY

Senator Canfield: "Would Senator Dore yield? Senator, I know you are a tax authority but it seems to me what you are doing here is to permit a district which has not been levying these taxes to now all of a sudden levy them all and go ahead on top of that, to the one hundred and six percent."

Senator Dore: "If the law was rigidly followed that we do not pass this bill, in the event a port district wanted to assess for a new construction project, it was not assessed for the last three years, it would have to limit it to the assessed valuation as of the last year of the assessment. This allows them, we have had the reappraisal program in the meantime so it allows them to go to the reappraised value as of 1973 plus a factor for new construction during the last three years, plus six percent. The way it was written with the house amendment they could have accumulated six percent more each year of those three years. This limits it to just one six percent. I worked this out with the port attorneys and they are satisfied. They would have liked it the way it came out of the house, but this is a rigid tie down of the assessed valuation."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President and members of the Senate, Senator Canfield, I can point out one instance of this in the port of Grays Harbor which was not levying its levy as it was making enough on its income but it has to look ahead and protect its income as far as bonding, maybe for a warehouse or something like that. The very fact that next year six percent of nothing remains nothing forced the port district to go into a levy of one mill and at a cost of something like two hundred and forty thousand dollars to the citizens of the county. They said they had no use for it but to protect themselves from coming under the six percent limitation in the next two years they had to levy this amount. This bill merely says if a district does not levy anything, they still have not given up their basic right to levy."



Now this could be true in a fire district, say, that was established a few years ago or any other district that has not gotten into active participation that has a legal right to levy. The mere fact that they have not needed the money now is no reason to force them into that levy they do not need. Six percent of nothing remains nothing and this gives them the base to work from. It is an effort really to lower and not force taxes to the limit."

#### POINT OF INQUIRY

Senator Canfield: "Senator Bailey, if I understand correctly then, if they have not levied these taxes in the past three years it still would not destroy the new base. Is that what you are saying?"

Senator Bailey: "Senator Canfield, it does not only say that, it says if they have not levied the tax, you see the way the new tax bill was written, this year's budget is the base year. Next year they can only levy six percent above that, so those districts that are not levying now have no base to start from. This would establish and give them—if they do not levy for the next two or three or four years they still can come back to the year 1973 and use that as a base. This is all that it does."

Senator Canfield: "What I am trying to say, it does not allow them to go back and pick up back levies but simply establishes a new base."

Senator Bailey: "Just a new base. That is what Senator Dore took out of it to avoid the possibility that it could establish an accumulative six percent and things of that sort."

Senator Canfield: "Thank you."

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Dore yield to a question? Senator Dore, I am under the impression that the Port of Seattle has always levied its limit. Right?"

Senator Dore: "Right. They have one mill and so this will be of no benefit to them."

Senator Fleming: "Okay, but in your testimony that was before your committee, was there any discussion at any point in time recognizing the fact that the Port of Seattle does do a great job in operating their port and they are in the black, from my understanding, and doing a good job of it. Was there any discussion at any point in time of them not levying their full amount, why are they still levying their full amount if they are operating in the black?"

Senator Dore: "Mr. President and members of the Senate, why are they levying their full amount?"

Senator Fleming: "Was there any discussion of them not levying their full amount?"

Senator Dore: "First of all, this was not before my committee, but they levied their full mill on the basis that they needed the money, so this bill will have no effect on them and at the end of the fifth year of the reappraisal program they cannot assess more than six percent of the dollars assessed during the fourth year of the . . ."

Senator Fleming: "The reason for the question—I did not know that the bill was not before your committee but recognizing that you had dealt with the attorney from the port, recognizing that this is dealing with those ports that have not levied their limit, recognizing the fact that this body itself has been talking so much about levy relief, tax relief, property tax relief and so forth, that it has just been a concern of mine why if the Port of Seattle is doing a great job operating in the black, making it a profit, that they have not thought about maybe reducing some of their levy."

Senator Dore: "Frankly, a lot of people thought they should not have levied the full mill because they raised a great number of more dollars, because when the property assessment went up from twenty-five percent to fifty percent, they were allowed two mills under twenty-five percent, they cut the mill one percent but they did not adjust because the fact that we were actually about eighteen percent, so in dollars they picked up the difference between eighteen from twenty-five times two. They picked up fourteen percent in dollars and a lot of people thought they should then have not levied the full mill but had reduced the mill proportionately. But they did not. So this bill would give no relief to those

ports that levied their full millage. This pertains to only those ports that have not levied anything for a period of three years. That is the point. That is in the bill. Three years, that have not made any assessment for a period of three years.

"In answer to Senator Canfield, they will assess not in their last time they assessed, but they will take cognizance of the reappraisal program and base it on the assessed valuation as of the year 1973. And so then they will be able to go just six percent higher than that. Under the way the bill was originally amended in the House and came before us they would have been able to pick up six percent more for each of those three years, or eighteen percent. So this amendment is stricken out so it is limited rigidly to six percent."

Senator Fleming: "Thank you, Senator Dore, but I just wanted to bring out, Mr. President and members, that point that there are differences in the ports and the way they levy and, recognizing the honorable intentions of the Port of Grays Harbor being one of those who is not levying to their limit but it is something I think this body should be aware of and that we should also be thinking about in the future, because if there are ports that are operating at a profit, working with private industry and so forth, and we are talking about trying to give a little relief to our citizens, these are some of the things that I think we have got to look at in the future."

Debate ensued.

The motion by Senator Dore carried and the amendment was adopted.

On motion of Senator Dore, the following amendments by Senators Bailey and Dore were adopted:

On page 1, section 1, line 22 of the engrossed bill, being line 21 of the printed bill, after "1973," strike all the material down to and including "from 1973," on line 23 of the engrossed bill, being line 22 of the printed bill.

On page 1, section 1, line 27 of the printed bill, being page 2, line 1 of the engrossed bill, after "proposed," strike "had such district levied at the fully allowable rate during the period when such levy was at a level below that authorized by law", being the language added by the House committee amendment.

On page 1, line 27 of the printed bill, being page 2, line 3 of the engrossed bill, strike "whichever is the lesser amount".

#### MOTIONS

On motion of Senator Dore, the committee amendments to the title were adopted.

On motion of Senator Scott, Senator Whetzel was excused.

On motion of Senator Dore, Engrossed House Bill No. 736, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 736, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Donohue, Dore, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall—42.

Voting nay: Senators Bottiger, Fleming, Grant, Woody—4.

Absent or not voting: Senators Day, Durkan—2.

Excused: Senator Whetzel—1.

ENGROSSED HOUSE BILL NO. 736, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Bailey, all members of the Senate were added as sponsors to Senate Resolution 1973-66.

On motion of Senator Peterson (Lowell), the following resolution was unanimously adopted:

SENATE RESOLUTION 1973-66

By Senators Peterson (Lowell), Mardesich, Bailey, Atwood, Lewis (Harry), Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Rod Chandler, distinguished and capable reporter who has worked for KOMO-TV for the past five years, has recently announced that he will soon be leaving KOMO and entering into private industry in a new profession; and

WHEREAS, Rod has during the past four sessions of the Legislature been a political analyst and newscaster in Olympia; and

WHEREAS, Rod has earned the respect of the members of the Legislature, his associates within the Fourth Estate, and with all others who came in contact with him at the sessions in Olympia; and

WHEREAS, The fact that Rod has maintained the traditions and ethics of the journalism profession at all times, he is worthy of recognition; and

WHEREAS, The news-consuming public has benefited immensely from his accurate and impartial news broadcasts;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate do hereby express to Rod Chandler their sincere appreciation for the competent and excellent manner in which he has presented the news to the public and wish him continued success in his newly chosen endeavor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be and he is hereby instructed to have a copy of this resolution suitably engrossed and forwarded to Rod Chandler.

There being no objection, business was suspended to permit Rod Chandler to address the Senate.

MOTION

At 3:40 p.m., on motion of Senator Bailey, the Senate recessed until 4:35 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 4:35 p.m.

MOTION

At 4:35 p.m., on motion of Senator Mardesich, the Senate recessed until 6:15 p.m.

EVENING SESSION

The President called the Senate to order at 6:15 p.m.

There being no objection, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

April 6, 1973.

SENATE BILL NO. 2259, prescribing fees for U.C.C. financing statements certificates (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

SENATE BILL NO. 2540, providing for an increase in the salaries of part-time district court judges (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Clarke, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

SENATE BILL NO. 2553, increasing penalties for defrauding hotels, inns, restaurants and boarding houses (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 4, 1973.

SENATE BILL NO. 2805, authorizing bonds for capital improvements at institutions of higher education (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Grant, Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

April 6, 1973.

SENATE BILL NO. 2816, removing eminent domain powers from municipal urban renewal authority (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

SENATE BILL NO. 2881, providing that a tenant who breaks his lease without making payment for the period of contract or leaving a forwarding address shall be guilty of a misdemeanor (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Greive, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

SENATE BILL NO. 2921, establishing a community based correction demonstration project for nondangerous offenders (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Keefe, Woody.

Passed to Committee on Rules for second reading.

April 4, 1973.

HOUSE BILL NO. 69, repealing authorization for land reclamation tax levy (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Marsh, Peterson (Ted), Ridder, Sandison, Scott.  
Passed to Committee on Rules for second reading.

April 6, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, making changes to penalties provided for controlled substances offenses (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Greive, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

ENGROSSED HOUSE BILL NO. 705, permitting a health care service subscriber ten days to reject a health care services contract (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

April 4, 1973.

ENGROSSED HOUSE BILL NO. 720, centralizing and unifying state data processing facilities (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

April 6, 1973.

SUBSTITUTE HOUSE BILL NO. 722, implementing laws relating to solicitation of funds for charity (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 6, 1973.

HOUSE BILL NO. 1019, authorizing the use of certain tax information and records to determine sales and use tax liability (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Grant, Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

April 2, 1973.

HOUSE JOINT MEMORIAL NO. 11, memorializing Congress for quality medical and health services for all citizens (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Herr, Jones, Keefe, Woody.

Passed to Committee on Rules for second reading.

## SECOND READING

SENATE BILL NO. 2897, by Senator Clarke:

Increasing small loan company authority from one to five thousand dollars.

## MOTION

On motion of Senator Clarke, Substitute Senate Bill No. 2897 was substituted for Senate Bill No. 2897 and the substitute bill was placed on second reading and read the second time in full.

## MOTIONS

Senator Mardesich moved that Substitute Senate Bill No. 2897 be held for consideration on the second reading calendar for Monday, April 9, 1973.

Senator Atwood moved that the motion by Senator Mardesich be amended to consider Substitute Senate Bill No. 2897 on Sunday, April 8, 1973.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Stortini, Ridder, Dore, Mardesich, Bailey, Day, Francis, Grant and Washington.

Senators Greive, Bailey and Knoblauch demanded a Call of the Senate. A Call of the Senate was not sustained.

Further debate ensued.

The President declared the question before the Senate to be the motion by Senator Mardesich, as amended by Senator Atwood, that Substitute Senate Bill No. 2897 be held for consideration on the second reading calendar for Sunday, April 8, 1973.

## ROLL CALL

The Secretary called the roll and Substitute Senate Bill No. 2897 was ordered placed on the second reading calendar for Sunday, April 8, 1973 by the following vote: Yeas, 23; nays, 21; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Donohue, Guess, Henry, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Sellar, Twigg, Walgren, Wana-maker-23.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Jolly, Keefe, Knoblauch, Odegaard, Rasmussen, Ridder, Scott, Stortini, Van Hollebeke, Washington, Woody-21.

Absent or not voting: Senators Durkan, Herr, Talley, Woodall-4.

Excused: Senator Whetzel-1.

## SECOND READING

SENATE BILL NO. 2914, by Senators Murray and Washington:

Permitting the shorelines hearings board to adopt rules of practice and procedure.

## REPORT OF STANDING COMMITTEE

April 3, 1973.

SENATE BILL NO. 2914, permitting the shorelines hearings board to adopt rules of practice and procedure (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 15, after the double parenthesis insert "*Judicial review of such proceedings of the shorelines hearings board may be had as provided in chapter 34.04 RCW.*"

Signed by: Senators Washington, Chairman; Donohue, Murray, Stortini, Van Hollebeke, Whetzel.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

MOTIONS

On motion of Senator Lewis (Harry), Senators Metcalf and Woodall were excused.

On motion of Senator Mardesich, Senators Durkan, Herr and Talley were excused.

On motion of Senator Washington, Engrossed Senate Bill No. 2914 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2914, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

ENGROSSED SENATE BILL NO. 2914, having received the 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. 2918, by Senator Peterson (Lowell):

Providing for a limitation, through a validated license procedure, on commercial fishing for herring in order to protect the species.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), Senate Bill No. 2918 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2918, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 1; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—42.

Absent or not voting: Senator Fleming—1.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

SENATE BILL NO. 2918, having received the 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 Senator Peterson (Lowell), Senate Bill No. 2918 was ordered immediately transmitted to the House.

MOTIONS

On motion of Senator Twigg, Senate Bill No. 2531 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

On motion of Senator Bailey, the following Senate Bills were ordered to hold their places on the second reading calendar for Saturday, April 7, 1973: 2266, 2813 and 2570.

### SECOND READING

SENATE BILL NO. 2009, by Senators Canfield and Jolly (by Joint Committee on Nuclear Energy request):

Providing for an advisory council on science and technology and defining its functions.

### REPORT OF STANDING COMMITTEE

February 1, 1973.

SENATE BILL NO. 2009, providing for an advisory council on science and technology and defining its functions (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 18, after "*technological*" and before "*and*" insert "*, health*".

On page 1, section 1, subsection (2), line 23, after "*development,*" and before "*and the*" insert "*department of natural resources*".

On page 3, section 1, line 6, after "*private,*" strike "*for*" and insert "*consistent with*".

On page 3, section 1, line 16, after "*Make*" and before "*recommendations*" insert "*such technical*" and after "*such*" insert "*technical*".

Signed by: Senators Washington, Chairman; Donohue, Guess, Stortini, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Canfield, the committee amendments were adopted.

On motion of Senator Canfield, Engrossed Senate Bill No. 2009 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2009, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

ENGROSSED SENATE BILL NO. 2009, having received the 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 Senator Canfield, Engrossed Senate Bill No. 2009 was ordered immediately transmitted to the House.

SENATE BILL NO. 2790, by Senators Ridder and Peterson (Ted) (by Office of Program Planning and Fiscal Management request):

Setting the amount of forest fire protection assessments.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), Senate Bill No. 2790 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2790, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

SENATE BILL NO. 2790, having received the constitutional 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. 300, by Representatives Ceccarelli, Gaspard, Luders, Barden, Rabel, Eikenberry and Maxie:

Defining certain areas for investment and expanded services by mutual savings banks.

The bill was read the second time by sections.

On motion of Senator Dore, Engrossed House Bill No. 300 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Scott: "Would Senator Dore yield? Senator Dore, I noticed that section 6 of the bill increases from thirty to fifty percent of the guaranteed fund, undivided profits, reserve, etc., of the amount mutual savings banks may invest in their own land and buildings. Would you amplify on that a little bit? It seems like a quantum jump to me."

Senator Dore: "It is a little jump but it had no objection from the other banks. Their competitors are not worried."

Senator Scott: "No, but what is the practical effect when you raise from thirty to fifty percent the amount of the guaranteed fund and the reserves and so forth that is investable? It seems to me that implies a basic change of policy."

Senator Dore: "I assume that is to help in branch banking. That particular point was not raised in committee and, of course, with inflation perhaps they need more money to build the branches now."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 300, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

ENGROSSED 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.

SENATE BILL NO. 2598, by Senator Mardesich:

Authorizing the state of Washington to economically develop state owned and managed lands.

## REPORTS OF STANDING COMMITTEES

February 27, 1973.

SENATE BILL NO. 2598, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 6, line 7, after "ending" and before "one" strike "June 31, 1973" and insert "June 30, 1975".

On page 3, section 7, line 9, after "this" and before "act" strike "1972" and insert "1973".

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Peterson (Ted), Rasmussen.

March 30, 1973.

SENATE BILL NO. 2598, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment and as amended by Committee on Natural Resources:

On page 3, section 6, line 7, after "1975" and before "dollars" strike "one million five hundred thousand" and insert "one hundred fifty thousand".

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Lewis (Harry), Marsh, Ridder, Scott.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments by the Committee on Natural Resources were adopted.

On motion of Senator Mardesich, the committee amendment by the Committee on Ways and Means was adopted.

On motion of Senator Mardesich, Engrossed Senate Bill No. 2598 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Henry: "Would Senator Mardesich yield to a question? Right out of a clear sky I heard you say something about the Department of Natural Resources sinking some wells on their dry land and so forth to improve the value of their land."

Senator Mardesich: "The state's land."

Senator Henry: "The state lands, yes. Well, Mr. President and members of the Senate, they sank some wells, over in Klickitat County and they, in sinking the wells took the water supply away from some of the farmers' wells and also some of their ponds that they had for watering their cattle. And we made a number of protests to this. They said perhaps they could case the well down but so far there has been cockeyed little relief for some of the water supply that has been drained off by some of the state wells on some of their dry land."

Senator Mardesich: "In response, I would only point out that before the department can take such action as this they now have to clear with the Department of Ecology."

Senator Henry: "I have much more faith in the Department of Natural Resources than I have in the Department of Ecology. They cleared this with the Department of Ecology and that is the problem we have."

Senator Mardesich: "I am sorry I used the example of the wells. It also applies to other things."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2598, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 1; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Guess, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—39.

Voting nay: Senators Francis, Henry, Ridder—3.

Absent or not voting: Senator Connor—1.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

ENGROSSED SENATE BILL NO. 2598, having received the 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 Senator Francis, the Judiciary Committee was relieved of further consideration of the following Senate Bills: 2013, 2014, 2015, 2199, 2207, 2277, 2613, 2617, 2622, 2778, 2781 and 2782.

On motion of Senator Francis, those Senate bills were referred to the Committee on Transportation.

#### MOTION

On motion of Senator Grant, Senate Bill No. 2572 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

#### SECOND READING

SENATE BILL NO. 2262, by Senators Talley, Sellar and Ridder:

Changing the voting requirements for water and sewer districts located in more than one city.

The bill was read the second time by sections.

On motion of Senator Ridder, Senate Bill No. 2262 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2262, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

SENATE BILL NO. 2262, having received the 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. 2099, by Senators Bottiger, Murray and Grant:

Authorizing a fire protection district service charge.

## MOTIONS

On motion of Senator Bottiger, Substitute Senate Bill No. 2099 was substituted for Senate Bill No. 2099 and the substitute bill was placed on second reading and read the second time in full.

Senator Grant moved adoption of the following amendment:

On page 2, line 18, after "commissioner" and before the period insert ": PROVIDED FURTHER, That no service charge specified under this chapter shall be applicable to the personal property or improvements to real property of any person or firm whose fire protection and training system has been approved by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the state insurance commission to do business in this state".

## MOTION

On motion of Senator Lewis (Harry), Substitute Senate Bill No. 2099, together with the proposed amendment by Senator Grant, was ordered held for further consideration on Saturday, April 7, 1973.

## SECOND READING

SENATE BILL NO. 2657, by Senators Clarke and Jones:  
Revising appeal procedures under the shoreline management act.

## REPORT OF STANDING COMMITTEE

March 29, 1973.

SENATE BILL NO. 2657, revising appeal procedures under the shoreline management act (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 16 after "except" strike all the underlined matter down to and including "agency," on line 17 and insert "*in the case of any permit issued to the state of Washington, department of highways, for the construction and modification of the SR 90 (I-90) bridges across Lake Washington,*"

On page 2, section 1, line 21 after "shall" strike all the underlined matter down to and including "shall" on line 22.

Beginning on page 4 strike all of section 2 and renumber the remaining section accordingly.

In line 2 of the title after "RCW 90.58.140;" strike all matter down to "RCW 90.58.180;" on line 3.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

The bill was read the second time by sections.

Senator Washington moved adoption of the committee amendments.

Debate ensued.

## MOTION

On motion of Senator Ridder, Senate Bill No. 2657, together with the committee amendments, was ordered held for consideration on Saturday, April 7, 1973.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2145 was ordered to hold its place on the second reading calendar for Saturday, April 7, 1973.

## SECOND READING

ENGROSSED HOUSE BILL NO. 482, by Representatives Hansen, North (Frances), Haussler, Johnson, Kilbury, Fortson, Van Dyk and Tilly:

Providing an alternative payment method for agricultural employees under the laws of industrial insurances.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 482 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 482, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 2; excused, 6.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—40.

Voting nay: Senator Bottiger—1.

Absent or not voting: Senators Connor, Henry—2.

Excused: Senators Durkan, Herr, Metcalf, Talley, Whetzel, Woodall—6.

ENGROSSED 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.

#### MOTION

Senator Peterson (Lowell) moved that Senate Bill No. 2542 be held on the second reading calendar for Monday, April 9, 1973.

Debate ensued.

#### MOTION

At 7:15 p.m., on motion of Senator Peterson (Lowell) the Senate adjourned until 1:00 p.m., Saturday, April 7, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**THIRTIETH DAY****AFTERNOON SESSION**

Senate Chamber, Olympia, Wash., Saturday, April 7, 1973.

The Senate was called to order at 1:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan, Francis, Greive, Lewis (Harry), Rasmussen, Sandison, Scott, Talley and Whetzel.

The Color Guard, consisting of Pages Marc Ulmathum and Cheri Moore, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR HEAVENLY FATHER, WE THANK YOU THAT YOU HAVE MADE US MEN WITH FREEDOM OF CHOICE. WE ARE FREE EITHER TO DESTROY OURSELVES OR TO CREATE OURSELVES. WE CAN BE WEAK OR WE CAN BE STRONG. WE CAN BE DEFEATED OR WE CAN BE VICTORIOUS. GRANT US TODAY, FATHER, THE ABILITY TO CHOOSE THAT WHICH IS GOOD. HELP US TO WALK THE PATH OF STRENGTH AND NOT OF WEAKNESS. MAY WE TRUST IN, AND DEPEND UPON, THE ETERNAL AND EVERLASTING GOD. LORD, I LIFT UP THESE LEGISLATORS TODAY ON THE WINGS OF PRAYER. BLESS THEM. ENLIGHTEN THEM IN THEIR AREAS OF RESPONSIBILITY. USE THEM IN A GREAT WAY FOR THE EFFECTIVE WORK OF GOVERNMENT. MAY THIS DAY BE ONE OF FULFILLMENT FOR EACH ONE OF THEM PERSONALLY, AND FOR THE COLLECTIVE BODY. WE PRAY THIS IN YOUR SON'S NAME. AMEN.”

**MOTION**

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Peterson (Lowell): “Mr. President, I would like to call to the attention of the body to some of the people in the galleries, this has happened several times this session, that do not respect the Colors or God's word when it is given to us in inspiration and I think that perhaps it is time that we should have the sergeant at arms escort such people from the galleries of the Senate in the future.”

## REPORTS OF STANDING COMMITTEES

April 6, 1973.

SENATE BILL NO. 2731, relating to utilities (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: That Substitute Senate Bill No. 2731 be substituted therefor and the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis (Bob), Matson, Mattingly, Peterson (Lowell), Wanamaker.

Passed to Committee on Rules for second reading.

April 7, 1973.

ENGROSSED HOUSE BILL NO. 105, authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Grant, Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

April 7, 1973.

ENGROSSED HOUSE BILL NO. 161, providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Grant, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 7, 1973.

ENGROSSED HOUSE BILL NO. 324, regulating recommendations for changes in state budget accounting methods (reported by Committee on Ways and Means):

Majority recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 7, 1973.

HOUSE BILL NO. 698, implementing the law relating to prevention and correction of certain election frauds and errors (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Mattingly, Metcalf.

Passed to Committee on Rules for second reading.

April 7, 1973.

SUBSTITUTE HOUSE BILL NO. 1034, providing for obtaining of voter lists (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Mattingly, Metcalf, Stortini.

Passed to Committee on Rules for second reading.

April 7, 1973.

HOUSE JOINT RESOLUTION NO. 40, changing the requirements for passage of bond requirements (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Metcalf, Washington.  
Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

April 6, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 428,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 505,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 593,  
SUBSTITUTE HOUSE BILL NO. 674,  
ENGROSSED HOUSE BILL NO. 820,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 6, 1973.

Mr. President: The House has passed:  
ENGROSSED HOUSE BILL NO. 607,  
ENGROSSED HOUSE BILL NO. 649,  
ENGROSSED HOUSE BILL NO. 785,  
ENGROSSED HOUSE BILL NO. 962,  
HOUSE JOINT MEMORIAL NO. 21, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 6, 1973.

Mr. President: The House has passed:  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 711,  
ENGROSSED HOUSE BILL NO. 966,  
ENGROSSED HOUSE JOINT RESOLUTION NO. 6, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 6, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE SENATE BILL NO. 2227,  
SENATE BILL NO. 2312,  
SENATE BILL NO. 2339,  
SENATE CONCURRENT RESOLUTION NO. 125, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 6, 1973.

Mr. President: The House has passed:  
ENGROSSED SENATE BILL NO. 2840, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 7, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE JOINT MEMORIAL NO. 10, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 7, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 119, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.



## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2840.

## MESSAGE FROM THE HOUSE

April 4, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2096, with the following amendments:

On page 1, section 1, beginning on line 21 of the engrossed bill, after "God" strike all material down to and including "amendatory act" on page 2, line 1, thus striking the Senate Committee on Education amendment.

On page 1, section 1, line 21 after "of God:" insert "*PROVIDED, Failure to complete construction of new facilities shall not be considered an unforeseen emergency: PROVIDED FURTHER, That the loss of school time as a result of employer-employee disputes shall not constitute an unforeseen emergency for the purposes of this act.*", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Gardner, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 2096, and asks the House to recede therefrom.

## MOTIONS

On motion of Senator Guess, Senators Lewis (Harry) and Whetzel were excused.

On motion of Senator Mardesich, Senator Talley was excused.

## MESSAGE FROM THE HOUSE

April 7, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2278, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF FREE CONFERENCE COMMITTEE

April 5, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2278, restricting use of abstracts of driving experience for insurance purposes, have had the same under consideration, and we recommend adoption of the following amendment:

On page 2, line 15 strike everything through line 19.

On page 2, line 15 after "fault:" insert "PROVIDED FURTHER, That no insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles shall use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment."

We further recommend the House amendment not be adopted.

Signed by: Senators Walgren, Marsh and Lewis (Harry); Representatives Beck and Perry.

## MOTION

On motion of Senator Walgren, the report of the Free Conference Committee on Engrossed Senate Bill No. 2278 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2278, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 27; nays, 12; absent or not voting, 7; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Day, Donohue, Fleming, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Woody—27.

Voting nay: Senators Clarke, Guess, Jones, Lewis (Bob), Mattingly, Metcalf, Murray, Newschwander, Scott, Sellar, Wanamaker, Washington—12.

Absent or not voting: Senators Connor, Dore, Durkan, Francis, Greive, Rasmussen, Woodall—7.

Excused: Senators Lewis (Harry), Talley, Whetzel—3.

ENGROSSED SENATE BILL NO. 2278, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

April 6, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2365 with the following amendments:

On page 1, section 2, line 22, after "of" insert "privately administered".

On page 1, section 2, line 22, after "care," insert "privately administered".

On page 1, section 2, line 22, after "and" insert "privately owned".

On page 4, section 6, line 20, after "convenience and" correct the spelling of "efficiency".

On page 5, section 7, line 8, after "certification" strike "and licensure".

On page 5, section 8, line 21, after "for" insert "the following nonpublicly owned equipment".

On page 6, section 11, line 33 of the engrossed bill, being line 32 of the printed substitute bill, after "required of" insert "paid or".

On page 7, section 13, line 26, after "(1)" strike "The United States government" and insert "Any governmental entity".

On page 8, section 14, line 24 of the engrossed bill, being line 23 of the printed substitute bill, at the beginning of the line, strike "secretary" and insert "department".

On page 9, section 16, line 9 after "each" insert "nonpublicly owned".

On page 9, section 16, line 23 after "the" and before "at" strike "secretary" and insert "department".

On page 10, section 17, line 2 of the engrossed bill, being line 1 of the printed substitute bill, after "driver and" insert "he".

On page 10, immediately following section 18, insert a new section as follows:

"NEW SECTION. Sec. 19. The secretary shall, with respect to any license, certificate or registration authorized by this 1973 act, establish standards for the granting, denial, suspension and revocation of such licenses, certificates or registrations, pursuant to the provisions of chapter 34.04 RCW. The bases and criteria set forth in such standards shall be relevant to the purposes and goals of such licenses, certificates or registrations."

Renumber the remaining sections consecutively., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Day, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 2365 and asks the House to recede therefrom.

## PRESIDENT'S PRIVILEGE

The President: "Honored and respected members of the Senate, ladies and gentlemen, present within the Senate halls today is a former member who served the people of his district and the people of the state of Washington in a most outstanding and distinguished manner. The President is referring to the father of our present Senator, Hubert F. Donohue, the Honorable Dewey Donohue. Senator Dewey Donohue's many friends will be happy to learn that he is here, that he is in splendid health and is presently visiting with President Pro Tempore Al Henry in the President Pro Tempore's office. The President is sure that everyone in the Senate and all who know Dewey Donohue are happy that he is here with us today and appreciate his visit and, most of all, once again express the deepest appreciation and gratitude for the wonderful service that he has performed for the Washington State Senate and the people of our state."

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2924, by Senators Mattingly, Rasmussen and Lewis (Harry):

An Act relating to state aid to school districts; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 2925, by Senators Canfield and Durkan:

An Act relating to Spanish-American affairs; amending section 1, chapter 36, Laws of 1971 ex. sess. and RCW 43.115.010; amending section 2, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.020; amending section 3, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.030; amending section 4, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.040; amending section 5, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.050; and amending section 6, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.060.

Referred to Committee on State Government.

SENATE BILL NO. 2926, by Senator Walgren:

An Act relating to revenue and taxation.

Referred to Committee on Transportation and Utilities.

SENATE JOINT MEMORIAL NO. 128, by Senators Stortini, Ridder, Day, Greive and Van Hollebeke:

Memorializing the President and Congress to control food prices at January 10, 1973 levels.

Referred to Committee on Commerce.

SENATE JOINT RESOLUTION NO. 138, by Senators Peterson (Lowell), Mardesich, Durkan, Lewis (Harry) and Woodall:

Limiting the governor's veto power.

Referred to Committee on Constitution and Elections.

There being no objection, additional sponsors were permitted on Senate Joint Memorial No. 128 and Senate Joint Resolution No. 138.

ENGROSSED HOUSE BILL NO. 428, by Representatives Johnson, Kilbury and Benitz:

Appropriating funds for the construction of the Benton-Franklin mental health and family counseling center.

Referred to Committee on Social and Health Services.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 505, by Judiciary Committee (originally sponsored by Representatives Hoggins, Eng, Clemente, Fortson, Knowles, Leckenby, Bender and Parker):

Making certain juvenile records confidential.  
Referred to Judiciary Committee.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 593, by Committee on Ways and Means (originally sponsored by Representatives Williams, Flanagan, Moon, Pardini, Van Dyk, Ceccarelli, Charnley, North (Lois), Randall, Haussler, Hurley, Bagnariol and Perry):

Reorganizing the tax exemption laws and providing for the administration thereof.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.  
Referred to Committee on Transportation and Utilities.

ENGROSSED HOUSE BILL NO. 649, by Representatives Bender, Conner and Curtis: Specifying bonding and cancellation procedures to be followed on public works projects affected by environmental litigation.

Referred to Committee on Ecology.

SUBSTITUTE HOUSE BILL NO. 674, by Committee on Social and Health Services (originally sponsored by Representatives Wojahn, Charette, O'Brien, Thompson, McCormick, Leckenby, Wilson, Ceccarelli, Parker, Swayze and Tilly):

Providing for the licensing of persons who fit hearing aids.  
Referred to Committee on Commerce.

ENGROSSED HOUSE BILL NO. 785, by Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn:

Increasing the minimum wage.  
Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 820, by Representatives Patterson, Charnley, Rabel, Goltz, Freeman, Benitz, Thompson, Maxie and Tilly:

Authorizing method of creating mandatory student association fees at institutions of higher education.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 962, by Representatives Ehlers, Savage, Wojahn and May:

Revising the law relating to industrial welfare.  
Referred to Committee on Labor.

ENGROSSED HOUSE BILL NO. 966, by Representatives Van Dyk and Zimmerman: Providing for determination of municipal water rates.

Referred to Committee on Local Government.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, by Committee on Agriculture (originally sponsored by Representatives Van Dyk, Charnley, Rabel, Goltz, Kilbury and Lysen):

Providing for the regulation of perishable packaged food goods.  
Referred to Committee on Agriculture.

HOUSE JOINT MEMORIAL NO. 21, by Representatives Lysen, Goltz, Van Dyk, Eng, Williams, Johnson, Ellis, Erickson, Shinpoch, Maxie, Bagnariol, Ehlers, Kalich, Adams, Moon, King, Gallagher, Perry, Savage, Jastad, Wojahn, McCormick, Thompson, Bauer, Sommers, Parker, Clemente and Bender:

Requesting the secretary of health, education and welfare to reconsider certain regulations.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, by Representative Savage:

Allowing bills introduced at a session to carry over to subsequent session of the same legislature.

#### MOTIONS

On motion of Senator Grant, Engrossed House Joint Resolution No. 6 was advanced to second reading and read the second time in full.

On motion of Senator Grant, Engrossed House Joint Resolution No. 6 was ordered placed at the end of today's second reading calendar.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

ENGROSSED HOUSE BILL NO. 962, revising the law relating to industrial welfare (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Jones, Ridder.

Passed to Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, by Committee on Commerce (originally sponsored by Representatives Valle, Rabel, Adams, Warnke, Kraabel, Eng, Kilbury, Swayze, Ceccarelli, Charnley, Douthwaite, Ehlers, Ellis, Matthews and Maxie):

Enacting the flammable fabrics act.

#### REPORT OF STANDING COMMITTEE

March 23, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, enacting the flammable fabrics act (reported by Committee on Commerce):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 3, line 18, after "officer" strike " , agent, or employee".

On page 2, line 29, after "both." add a new section as follows:

"NEW SECTION. Sec. 7. Any person who violates section 4 of this act shall be strictly liable for fabric-related burns."

Renumber the remaining sections consecutively.

On page 3, line 11, after "affected." add a new section as follows:

"NEW SECTION. Sec. 11. This act shall be effective one year from the date of its enactment by the legislature."

Renumber section 11 as section 12.

On page 3, section 10, line 12, after "through" strike "8" and insert "11".

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments to page 1 and page 2 were adopted.

Senator Walgren moved adoption of the committee amendment to page 3, line 11, adding a new section.

Debate ensued.

## POINT OF INQUIRY

Senator Bailey: "Mr. President, could somebody on the Commerce Committee tell me why we should hold this off for a year? I realize there is a matter here of getting stocks off of the shelves and things of that sort but I wonder if this is not outweighed by the danger it has to children or whoever happens to be wearing these flammable fabrics. I wonder if we have to consider waiting for a year to let a few more children burn up so that some merchants can get it off of their shelves."

Senator Wanamaker: "The reason, Senator Bailey, in the committee when we studied this bill was to allow the stores that had already had stocks on hand some opportunity of getting rid of it. Now if we do not, especially in your smaller stores, rural area stores, they are going to be stuck with a pretty large item if we do not allow them some opportunity of being able to clear their shelves. Also, it was found that it was going to take this much time before manufacturers were going to be able to comply with this act. In other words, there would be no sleepwear for probably a year until they were able to comply and come out with the materials that would be nonflammable."

Senator Bailey: "Mr. President, it seems to me like there should be some provision in here that these flammable fabrics should have some warning signs attached to them so when they sell this stock that the warning would be on it. I just cannot conceive for a merchant's benefit of letting him sell out his stock, knowing full well we may burn up some kids or somebody else, just so that he can get his money back. I think if we are going to let them have a period of time in closing out their stock that there should be some amendment here that provides for a label or something on this material that says 'this is flammable, this is dangerous, and after a certain day it will be illegal'."

Senator Wanamaker: "That probably could be done in the stores with a sign on the shelf or on the table, but as I say, the most important reason for allowing this amount of time was to allow the manufacturer to have some opportunity of being able to provide it."

## MOTIONS

On motion of Senator Woody, Engrossed Substitute House Bill No. 993, together with the pending committee amendments, was ordered placed at the end of today's second reading calendar.

On motion of Senator Mardesich, Senate Bill No. 2366 was ordered to hold its place on the second reading calendar for Sunday, April 8, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Sunday, April 8, 1973.

On motion of Senator Mardesich, the following Senate bills were ordered to hold their places on the second reading calendar for Monday, April 9, 1973: 2134, 2046 and 2144.

## SECOND READING

**SUBSTITUTE HOUSE BILL NO. 392**, by Judiciary Committee (originally sponsored by Representatives Wojahn, Shipoch, Knowles, Kelley, Smith, Juelling, Adams, Douthwaite, Erickson, Johnson, Kraabel, North (Lois), and Swayze) (by Judicial Council request):  
Revising the laws of divorce.

The bill was read the second time by sections.

On motion of Senator Atwood, Substitute House Bill No. 392 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Atwood yield? Senator Atwood, up until now, as you know, the divorce settlements require court approval to be binding. I guess the theory was that probably the woman was not in as good a bargaining position. Now in view of the lib amendment, does this sort of carry the idea that she is as competent to enter into a settlement as the man and therefore we have taken away from her the protection of going before the court for court approval?"

Senator Atwood: "On these separation contracts I would think that observation is correct because both parties have to sign them, although the law still is, in these separation agreements where there is a divorce, that the court is still required to confirm them. So if you will look in the act, it still carries that particular carry over from the existing law, although I think that the woman is on par now with the man. She does not have more rights than the man does in this particular instance but, nevertheless, the court still has jurisdiction to confirm the separation agreements in the event there is a divorce."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 392, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 22; absent or not voting, 3; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Fleming, Gardner, Henry, Herr, Jolly, Jones, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Scott, Walgren, Wanamaker, Woody—21.

Voting nay: Senators Connor, Day, Francis, Grant, Guess, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Newschwander, Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Washington, Woodall—22.

Absent or not voting: Senators Dore, Durkan, Greive—3.

Excused: Senators Lewis (Harry), Talley, Whetzel—3.

SUBSTITUTE HOUSE BILL NO. 392, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Francis served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 392 failed to pass the Senate.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2454, by Committee on Labor (originally sponsored by Senators Bottiger and Grant):

Amending the law regarding employment agencies.

The Senate resumed consideration of Substitute Senate Bill No. 2454 and the amendment pending by Senator Keefe from Tuesday, April 3, 1973.

#### MOTION

On motion of Senator Mardesich, Senator Dore was excused.

On Tuesday, April 3, 1973 Senator Keefe moved adoption of the following amendment:

On page 2, section 1, line 1, strike "*theatrical employment agency*".

The motion by Senator Keefe carried and the amendment was adopted.

On motion of Senator Keefe, the following amendments were adopted:

Beginning on page 2, line 31, strike all of subsections (7) and (8).

On page 7, section 7, line 16, after "*employment*" insert a period and strike the balance of the sentence.

On page 8, beginning on line 6, strike all of subsection (7) and renumber the remaining subsection.

Senator Guess moved adoption of the following amendments:

On page 8, after "provided," and before "the" in line 13, strike "the director shall determine" and on page 8, line 14, after "such employment" strike the remainder of the subsection and insert the following:

"shall be the maximum applicable to such applicant pursuant to a current maximum

*fee schedule which has been approved by the director. Such a maximum fee schedule and any subsequent amendments thereto shall be submitted by each employment agency to the director for his approval and may be accompanied by explanations of the bases for setting maximum fees. The director shall approve or disapprove such maximum fee schedules for each agency on an individual basis."*

Debate ensued.

#### MOTION

Senator Francis moved that Substitute Senate Bill No. 2454 and Senate Bill No. 2542 be re-referred to the Committee on Rules.

#### MOTION

On motion of Senator Mardesich, Substitute Senate Bill No. 2454 and Senate Bill No. 2542 were referred to the following select committee with instructions to report back to the Senate on Tuesday, April 10, 1973: Senator Francis, Chairman; Senators Grant, Bottiger, Woodall and Guess.

#### SECOND READING

SENATE BILL NO. 2531, by Senator Twigg:  
Defining environmental impact statement requirements.

#### MOTIONS

On motion of Senator Twigg, Substitute Senate Bill No. 2531 was substituted for Senate Bill No. 2531 and the substitute bill was placed on second reading and read the second time in full.

Senator Twigg moved adoption of the following amendments:

On page 1, section 2, line 22 after "pertaining to" strike "an individual single family residence" and insert "any private project".

On page 2, section 2, line 3 after "respect to" strike "an individual single family residence" and insert "any private project".

On page 2, section 2, line 5 after "within" strike "forty-five" and insert "sixty".

#### POINT OF INQUIRY

Senator Ridder: "Would Senator Washington yield to a question? Could you give me somewhat of an idea of the difference between an individual single family residence and any private project?"

Senator Washington: "Any private project could be an apartment house, it could be an office building, it could be a resort development. They still have to comply with the impact statement. However, the statute of limitations would run. They would have to publish their notice, and then you would have the sixty days after the final notice. Then any member of the public could come in and challenge, could appeal or take court action."

The motion by Senator Twigg carried and the amendments were adopted.

On motion of Senator Twigg, Engrossed Substitute Senate Bill No. 2531 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2531, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; absent or not voting, 1; excused, 2.



Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—40.

Voting nay: Senators Fleming, Francis, Gardner, Grant, Ridder, Sandison—6.

Absent or not voting: Senator Connor—1.

Excused: Senators Lewis (Harry), Whetzel—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2531, having received the 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

At 2:30 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 4:15 p.m.

#### SECOND READING

SENATE BILL NO. 2813, by Senators Durkan and Atwood:

Providing for the financial support of mass public transportation programs.

#### MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2813 was substituted for Senate Bill No. 2813 and the substitute bill was placed on second reading and read the second time in full.

#### MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 2813 was ordered placed on the second reading calendar for Sunday, April 8, 1973.

#### SECOND READING

SENATE BILL NO. 2570, by Senators Ridder, Bailey, Woodall and Van Hollebeke:  
Revising operation of the Washington state patrol retirement system.

The bill was read the second time by sections.

On motion of Senator Ridder, Senate Bill No. 2570 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Ridder yield? What is the effect of that five-year military service provision in the state patrol? How much unfunded liability?"

Senator Ridder: "They have here that the impact is two hundred and forty-six thousand. There are three hundred . . ."

Senator Atwood: "I mean the total unfunded liability."

Senator Ridder: "They say here in a six-year period . . ."

Senator Atwood: "I am not interested in a six-year period. You are putting in forty-year funding in this thing."

Senator Ridder: "Right."

Senator Atwood: "So I want to know what the actuaries came up with in the total creation of unfunded liability by putting the five-year military service credit in here."

Senator Ridder: "All right. According to the system, they have almost an ongoing washing out of their unfunded liability. They raise and lower their contribution to fit this."

This is the way the system will run, so they do not pick up the unfunded liability. On the next actuarial reading of this system, if it is necessary to raise their contribution in order to take care of that unfunded liability they will take care of it. So it is an automatic cancelling unfunded liability. That is the way the system runs."

Senator Atwood: "Will Senator Ridder further yield? That fiscal note you gave is just the six-year impact, though?"

Senator Ridder: "Right."

Senator Atwood: "But the employer also has to, his contribution goes up the same rate."

Senator Ridder: "Yes."

Senator Atwood: "I would think it would be extremely important, before asking any member of this Senate to vote for anything like this, that they know what their unfunded liability is, regardless of the method of payment."

Senator Ridder: "If you contract some unfunded liability what they will have to do on the next actuarial evaluation would be to up their contribution in order to take care of that and fund it."

Senator Atwood: "What about the state?"

Senator Ridder: "The state would not have to, under this system."

Senator Atwood: "We do not have to increase our contribution? Just the employee?"

Senator Ridder: "Right. We are putting this in at the beginning of the system. This is the way I understand it."

Senator Atwood: "I do not think you are exactly correct on that, Senator, but I am very skeptical about this."

Senator Ridder: "I understand your concern. It is the concern of many of us not to create unfunded liability, but the way they do it, they fund it over a period of time and keep to that forty-year funding."

#### \*REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, Senator Atwood was asking a question. My understanding is that the raise would be twelve percent for the state, which is the same as it is for the legislators, for their pension."

#### POINT OF INQUIRY

Senator Scott: "Senator Ridder, it would be my understanding the way you interpret it then, if they raise the rate on themselves to take care of the unfunded liability that results from this proviso, then we have got to expect them to come in and expect them to raise their rate, not the state's rate comparably, but their rate enough to take up all unfunded liability created by this. Where do you find a precedent for that?"

Senator Ridder: "This is just a method of taking care of that unfunded liability. You just spread it over the forty years and pick it up as you go. The unfunded liability is not going to be that great on the three hundred and eighty-five employees coming under this. If you want to hold this and we can straighten it out, perhaps that is the best way because so many people seem to be shocked here."

#### MOTION

On motion of Senator Ridder, Senate Bill No. 2570 was ordered placed at the end of today's calendar on third reading.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2099, by Committee on Ways and Means (originally sponsored by Senators Bottiger, Murray and Grant):

Authorizing a fire protection district service charge.

The Senate resumed consideration of Substitute Senate Bill No. 2099 and the pending

amendment by Senator Grant to page 2, line 18 which was moved for adoption on Friday, April 6, 1973.

On motion of Senator Grant, the following amendment was adopted:

On page 2, line 18, after "commissioner" and before the period insert "": PROVIDED FURTHER, That no service charge specified under this chapter shall be applicable to the personal property or improvements to real property of any firm whose fire protection and training system has been accepted by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the state insurance commissioner to do business in this state".

Debate ensued.

#### POINT OF INQUIRY

Senator Canfield: "Is it in order to ask Senator Bottiger a question? Senator, I think this bill is in pretty fair shape now. It is better than it was when we started, but I would like to ask you this question. Why do we still exempt all the religious properties from fire protection? Now we are exempting them from other things and I do not raise that point at all, but you say in this bill that the fire protection charges should be levied in accordance with the services rendered. You say that later in the bill, and yet in this case in the services rendered to a church property, why it would seem to me we are talking both ways. You say we should assess according to the benefits received but they are to be excused. And I am just wondering if that logic is consistent."

Senator Bottiger: "Senator Canfield, to me it is not consistent. I originally proposed this bill to be applicable to the religiously owned property, schools, things of this nature. I found by the process that I could not get the bill through the legislature with that in it so the amendment was agreed to in order to provide the financial relief for some of the fire districts. It is just a case of practical political application to the legislative process."

Senator Canfield: "I might say, Senator, that some years ago I made an inquiry asking for an Attorney General's opinion on whether rendering fire protection and police protection service to a religious organization was a violation of the Constitution on separation of church and state, and his opinion was in the negative. It was not in conflict, but I still think there is an ethical point here that people should pay for the services rendered."

Senator Bottiger: "Senator Canfield, I would join with you and I would point out that many religious organizations voluntarily pay for fire and police protection, the congregation of the church to which I belong being one of them."

Debate ensued.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Clarke yield? You are quite an authority on insurance, are you not? The companies that you speak for, do they give free insurance to churches on fire protection?"

Senator Clarke: "No, Senator, but I think what you have is a completely different philosophy here. As I was saying, this is something that the public presumptively is willing to furnish as a public service to these tax-free institutions. Naturally, churches when they buy bread or when they buy anything else have to pay the regular price for it, but it is a question of what your taxing philosophy is and what institutions should be exempt from all sorts of taxes. My observation was merely meant to point that this was being consistent with many other situations where this type of institution is exempt from tax."

Senator Canfield: "I would just point out that when it comes out of the taxpayer's pocket it is all right to give the service, but the insurance companies do not give out of their pockets. They still charge the premium."

On motion of Senator Bottiger, Engrossed Substitute Senate Bill No. 2099 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## REMARKS BY SENATOR NEWSCHWANDER

Senator Newschwander: "Just a short remark. Senator Bottiger mentioned the fire districts. They have quite a few of them and they are in need of money. I would like to remind Senator Bottiger that I do not have a large college university church school in my district, I think Pacific Lutheran is in your district, isn't it? I think they are exempt."

## REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Senator Newschwander, for the record, I have written and responded to numerous correspondence from that University, I do not want that exemption in there."

## POINT OF INQUIRY

Senator Atwood: "Would Senator Bottiger yield? Senator Bottiger, will this take the place of the demand for the fire districts requesting an additional half mill?"

Senator Bottiger: "I am not in a position to answer that question. If you take a fire district like Spokane 1 that is running a current four-mill maintenance and operation levy, this will not take the place for their need for additional funds. I think if this bill passes the pressure on that half mill will diminish."

Senator Atwood: "That is the way I look at it, Senator, but I am very concerned. I was approached today and informed that on my bill over in the House they wanted to switch the millage around and take another half mill from the county road fund and put it into the fire districts and I would be inclined to support this method rather than the method the fire districts were suggesting and I wanted assurance if this passed it would relieve the pressure on that."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2099, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—42.

Voting nay: Senators Donohue, Dore, Mardesich, Marsh, Odegaard—5.

Absent or not voting: Senator Peterson (Lowell)—1.

Excused: Senator Whetzel—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2099, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2657, by Senators Clarke and Jones:

Revising appeal procedures under the shoreline management act.

The Senate resumed consideration of Senate Bill No. 2657 and the pending committee amendments to page 2, section 1, lines 16 and 21 and the committee amendment beginning on page 4, striking all of section 2, which were moved for adoption by Senator Washington on Friday, April 6, 1973.

Debate ensued.

The motion by Senator Washington carried and the committee amendments were adopted on a rising vote.

On motion of Senator Washington, the committee amendment to the title was adopted.

On motion of Senator Washington, Engrossed Senate Bill No. 2657 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### PARLIAMENTARY INQUIRY

Senator Washington: "I mentioned yesterday, I do have information from the Attorney General which indicates it would take a two-thirds majority for this amendment to be carried, an amendment to the shorelands initiative."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2657, and the bill passed the Senate by the following vote: Yeas, 37; nays, 10; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—37.

Voting nay: Senators Fleming, Francis, Gardner, Grant, Herr, Odegaard, Ridder, Sandison, Scott, Stortini—10.

Absent or not voting: Senator Connor—1.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2657, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Mardesich, Senate Bill No. 2145 was ordered to hold its place on the second reading calendar for Sunday, April 8, 1973.

#### SECOND READING

SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:  
Clarifying the authority of sewer districts.

#### MOTION

On motion of Senator Talley, Senate Bill No. 2572 was made a special order of business for 5:15 p.m. today.

#### MOTION

On motion of Senator Atwood, Engrossed House Joint Resolution No. 6 was ordered placed on the second reading calendar for Sunday, April 8, 1973.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, by Committee on Commerce (originally sponsored by Representatives Valle, Rabel, Adams, Warnke, Kraabel, Eng, Kilbury, Swayze, Ceccarelli, Charnley, Douthwaite, Ehlers, Ellis, Matthews and Maxie):

Enacting the flammable fabrics act.

The Senate resumed consideration of Engrossed Substitute House Bill No. 993. The committee amendments to page 1 and page 2 were adopted previously today. Senator Walgren had moved adoption of the committee amendment to page 3, line 11.

Senator Woody moved adoption of the following amendment by Senators Woody and Jones to the committee amendment to page 3, line 11 adding a new section.

On line 2 of new section 7 added by the committee amendment, after "section 4" insert "or section 11".

#### POINT OF INQUIRY

Senator Bottiger: "Would Senator Woody yield to a question? Senator Woody, one thing troubles me about this amendment. If you were a department store owner or some small store owner, how could you tell whether the product that you had on your shelf complied or did not comply?"

Senator Woody: "Well, the first answer to that is by the effective date of this Substitute House Bill No. 993, that is one year from—that one year period. They would have to know in any event. The federal act right now has determined what children's sleepwear is or is not within the prohibitions of the flammable fabrics act. Those items, although they are manufactured within the state and sold within the state, would be outside of the Interstate Commerce provisions and therefore outside of the federal act. The whole purpose of 993 is to bring those situations within the state act. Those same stores would be faced with that problem in one year in any event so they are going to know it by the same technique as they would know one year from now."

Senator Bottiger: "Of course within a year from now they will know when they purchase it whether it complies because the manufacturer will have to make certain warranties to them and I think that both the federal act and our state act prohibit the wholesale sale of such things. What I am thinking about is a pajama set that is in the store right now that may comply but under the provisions of this amendment a store owner is going to have to make a decision as to whether to attach the label or not and I just wonder if he is qualified to be able to determine that."

Senator Woody: "I would yield to Senator Greive because the matters that were before the Commerce Committee of the Senate took into consideration those same standards that would be in one year from now."

Senator Greive: "I would strongly support the amendment. Not only was I in the position to have heard this as the chairman of the Commerce Committee during this particular session, but during the interim where we had the same problem come up and this is one of those amendments that come along every once in a while which you wish you had thought of yourself. It seems to me that it is a good amendment. It is something that did not occur to us but it is a way of handling the problem. The real problem is that people do not know nor do not appreciate the flammability of these fabrics. And at least this means that they will have warning so they can keep their children away from a candle or some other type of open flame and they will be aware of what they have got. The big problem when we were conducting the hearings during the interim, not since the bill has been introduced, was that the people did not know. The fact is, at one time it was thought that that might be the way to handle the whole problem rather than to even prohibit the garments from being sold. The important thing was that it was assumed this type of fabric where a woman or a grown person wore it, they could make some decisions but children do not understand about things that might ignite and if their parents do not understand, they do not know enough to keep them off the children or to at least protect the children from open flames."

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, when I raised this point this morning I thought of two alternatives. One is not to have any time period on it which would mean that immediately on the effective date of the act they would have to take these off the shelf, Senator Bottiger. And the other thing was that, of course, the merchant is concerned because he has these materials on the shelf. I really think that this is not the best bill I have ever seen because I think that if there is danger they ought to come off the shelves just as fast as we can force them off the shelves. This is a compromise and it does give warning and I do not think it is any more difficult to conform to this than it would be if we forced them on July

14 to remove these items from the shelf, but if they are duly warned it is much better than holding it off for a year because I cannot see how we can put a price tag on even one child being burned just to allow a merchant to keep this material on his shelf. If it is dangerous it is dangerous now and we should not tolerate it for twelve months more and dream it away, but this is a compromise and I am happy to support the compromise."

#### REMARKS BY SENATOR JONES

Senator Jones: "I think I can answer Senator Bottiger's question. I think it is a fairly simple thing. You pick up the telephone and ask the man who gave you the goods and he will tell you what it is made of and if it is dangerous. I do not think it is that hard. I believe it is just that simple."

#### POINT OF INQUIRY

Senator Canfield: "Would Senator Woody yield? Senator Woody, do I have the latest amendment here that was just passed around saying that on July 14, 1973 they should carry the label?"

Senator Woody: "That is correct."

Senator Canfield: "That means if we pass this a week from today the ninety days would expire by that time. It would not be effective until July 14, 1973, and then all of a sudden they have got to get rid of the whole stock. Is that the effective date you intended? I think you should have an emergency clause on here."

Senator Woody: "I would have to defer to Senator Jones as to why the July 14 date itself was picked out, although it was my recollection in our conversation that it was an estimate, the best estimate with the amendments going over to the House, the House would have to either concede or recede from them. And it is from the date of adjourning, which I think is still, if I have read the newspapers correctly, the 14th."

Senator Jones: "That was my understanding, that we would be adjourning and that was ninety days after adjournment. I have all the faith in the world that we will work hard towards that date."

The motion by Senator Woody carried and the amendment by Senators Jones and Woody to the committee amendment was adopted.

The motion by Senator Walgren carried and the committee amendment, as amended, was adopted.

Senator Greive moved adoption of the committee amendment to page 3, section 10, line 12.

On motion of Senator Jones, the following amendment by Senators Jones and Woody to the committee amendment was adopted:

Amend the committee amendment to page 3, line 11 as follows:

In line 3 of the amendment after "legislature" and before the period insert ": PROVIDED, That any article which will come within the provisions of this act shall carry the following label as of July 14, 1973:

"WARNING: This garment does not comply with federal or Washington state standards for the flammability of children's sleepwear."

Further, this label shall be clearly visible and brought to the attention of any prospective purchaser."

The motion by Senator Greive carried and the committee amendment, as amended, was adopted.

On motion of Senator Jones, the following amendment by Senators Woody and Jones to the title was adopted:

On page 1, line 2 of the title, after "crimes;" strike "and" and after "penalties" and before the period insert "; and setting an effective date".

On motion of Senator Greive, Engrossed Substitute House Bill No. 993, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 993, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-47.

Absent or not voting: Senator Twigg-1.

Excused: Senator Whetzel-1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, 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.

## SPECIAL ORDER OF BUSINESS

SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

Clarifying the authority of sewer districts.

The time having arrived, the Senate commenced consideration of Senate Bill No. 2572.

The bill was read the second time by sections.

Senator Grant moved adoption of the following amendment:

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

"Sec. 5. Section 1, chapter 40, Laws of 1965 1st ex. sess. and RCW 56.20.020 are each hereby amended to read as follows:

Utility local improvement districts to carry out all or any portion of the comprehensive plan, or additions and betterments thereof, adopted for the sewer district may be initiated either by resolution of the board of sewer commissioners or by petition signed by the owners according to the records of the office of the county auditor of at least fifty-one percent of the area of land within the limits of the utility local improvement district to be created.

In case the board of sewer commissioners shall desire to initiate the formation of a utility local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed utility local improvement district, describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district [.], *which date shall, unless there is an emergency, be no less than 30 days and no more than 90 days from the day the resolution of intention was adopted.*

In case any such utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of such proposed improvement and the fact that the signers thereof are the owners according to the records of the county auditor of at least fifty-one percent of the area of land within the limits of the utility local improvement district to be created. Upon the filing of such petition with the secretary of the board of sewer commissioners, the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from said petition after the filing thereof with the secretary of the board of sewer commissioners. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district, describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount



thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Notice of the adoption of the resolution of intention, whether the resolution was adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of sewer commissioners. Notice of the adoption of the resolution of intention shall also be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notices shall refer to the resolution of intention and designate the proposed improvement district by number. Said notices shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the date, time and place of the hearing before the board of sewer commissioners; and in the case of improvements initiated by resolution, said notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of sewer commissioners before the time fixed for said public hearing. In the case of the notice given each owner or reputed owner by mail, the notice shall set forth the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract, parcel of land or other property.

Sec. 6. Section 9, chapter 272, Laws of 1971 1st ex. sess. and RCW 56.20.030 are each hereby amended to read as follows:

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in plans for the proposed improvement as shall be deemed necessary: PROVIDED, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners in the manner and form and within the time herein provided for the original notice.

After said hearing the commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: PROVIDED, That the jurisdiction of the commissioners to proceed with any improvement initiated by resolution shall be divested: *(a) by protests filed with the secretary of the board prior to said public hearing signed by the owners, according to the records of the county auditor, of at least forty percent of the area of land within the proposed local district or (b) by the commissioners not adopting a resolution ordering the improvement at a public hearing held not more than 90 days from the day the resolution of intention was adopted, unless the commissioners file with the county auditor a copy of the notice required by RCW 56.20.020, and in no event at a hearing held more than two years from the day the resolution of intention was adopted.*

If the commissioners find that the district should be formed, they shall by resolution order the improvement, provide the general funds of the sewer district to be applied thereto, adopt detailed plans of the utility local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the sewer district such eminent domain proceedings and supplemental assessment or reassessment proceedings to pay all eminent domain awards as may be necessary to entitle the district to proceed with the work. The board of sewer commissioners shall proceed with the work and file with the county treasurer of each county in which the real property is to be assessed its roll levying special assessments in the amount to be paid by special assessment against the property situated within the local improvement district in proportion to the special benefits to be derived by the property therein from the improvement."

## POINT OF ORDER

Senator Talley: "Mr. President, I am in complete accord with some of the remarks that Senator Grant has made, but I would have to raise the scope and object of this amendment. I think it really enlarges the bill."

## MOTION

On motion of Senator Talley, the amendment by Senator Grant, the point of order as raised by Senator Talley and the pending ruling by the President were ordered held for Sunday, April 8, 1973.

## THIRD READING

SENATE BILL NO. 2570, by Senators Ridder, Bailey, Woodall and Van Hollebeke:  
Revising operation of the Washington state patrol retirement system.

## MOTIONS

On motion of Senator Atwood, Senate Bill No. 2570 was returned to second reading. Senator Atwood moved adoption of the following amendment:

On page 5, section 3, beginning on line 27 strike all of subsection (3) and substitute the following:

*"(3) The Public Pension Commission and the Washington Public Employees' Retirement System shall conduct a study of the various military credit provisions of the state's retirement systems, the fiscal impact of those various provisions and the possibilities for creation of any unfunded liabilities through such provisions and shall report to the next legislative session with viable recommendations for legislative action that will insure parity between the various systems in regard to military credit without the creation of further unfunded liabilities."*

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Ridder yield to a question? Senator Ridder, you do not mind taking a hard look at something you do not know the answer to, do you?"

Senator Ridder: "I would say in a situation like this when we are talking about equity, it is not a problem of taking a good hard look at it. I think this is due the state patrol people. I do not think it is going to be that great and it is not a question of taking a long hard look. We are begging the issue."

Senator Woodall: "Well, in other words then, I understood that all Senator Atwood wanted you to do was for you to take a good hard look at something."

Senator Ridder: "It is hardly couched in that. It says, 'strike all of subsection 2', which means take out the whole military and insert a study. Now I will tell you, in this body we make a study every time we get to a point where we hit the rock hard place and we have so many studies going that it makes your head roll. The problem here is whether we are going to grant military equal to PERS for the state patrol or we are not. And I think it just comes down to that. If you want to vote it up, vote it up; if you want to vote it down, vote it down, and that is the way she goes."

President Pro Tempore Henry assumed the Chair.

Senator Ridder demanded a roll call and the demand was sustained by Senators Bottiger, Washington, Dore, Knoblauch, Stortini, Grant, Marsh, Jones and Lewis (Bob).

## ROLL CALL

The Secretary called the roll and the amendment by Senator Atwood was not adopted by the following vote: Yeas, 20; nays, 27; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Gardner, Guess, Jolly, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Woodall—20.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—27.

Absent or not voting: Senator Durkan—1.

Excused: Senator Whetzel—1.

On motion of Senator Ridder, Senate Bill No. 2570 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2570, and the bill passed the Senate by the following vote: Yeas, 31; nays, 16; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Mattingly, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—31.

Voting nay: Senators Atwood, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Woodall—16.

Absent or not voting: Senator Durkan—1.

Excused: Senator Whetzel—1.

SENATE BILL NO. 2570, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Cherberg assumed the Chair.

There being no objection, the Senate returned to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2266, by Senators Durkan, Ridder and Peterson (Ted) (by Public Employees', Law Enforcement Officers' and Firefighters' Retirement Board request):

Amending the Law Enforcement and Firefighters' Retirement System Act.

#### MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 2266 was substituted for Senate Bill No. 2266 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Durkan, the following amendment was adopted:

On page 19, section 9, line 9, after "fighter," strike "including" and insert "[including] excluding".

On motion of Senator Ridder, the following amendment was adopted:

On page 24, line 9, after "where" strike "a member becomes employed" and insert "an active member or member hereafter retired for disability or service becomes an employee".

Senator Durkan moved adoption of the following amendment:

On page 30 following section 19 add a new section as follows:

"NEW SECTION. Sec. 20. There is added to chapter 41.26 RCW a new section to read as follows:

Any member of this system with the rank of chief of a department or the equivalent may receive service credit for out-of-state service as a law enforcement officer or firefighter.

Such out-of-state service shall be credited upon payment to the Washington law enforcement officers' and firefighters' retirement system of an amount equal to the contribution which would have been made during those periods of out-of-state service had the service then been creditable under this system, all with interest to the date of payment. Such normal contribution shall include the employee contribution, the employer contribution and that portion of the state contribution which would have been attributable to funding current service liability for such service, all as provided in RCW 41.26.080. Said payment may be made in one lump sum or by installments over a limited period of time, all as approved by the retirement board. The payments may be made by the employee and/or the employer. Out-of-state service credit may be credited in annual increments when payments sufficient to cover such periods of service have been made. Out-of-state service credit shall not be counted in determining whether the individual qualifies to vest pursuant to RCW 41.26.090(2). Any out-of-state service credit which has been vested in an out-of-state retirement plan shall not be creditable in this system: PROVIDED, That employee contributions for such service may be paid after the member is eligible to vest under the provisions of RCW 41.26.090(2)".

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Bailey: "Senator Durkan, would you yield? If a man comes from California and picks up five or ten years of service and receives credit in this state, is there anything to stop him from collecting his pension here and then moving back to California and redepositing his money there and adding a couple of years down there and start picking up the California pension?"

Senator Durkan: "I do not know the answer to that question. I would guess that if the system which he goes back to would have a provision like we have here that he could probably qualify. If the system does not permit him to come back and use the credit then I would guess that he could not qualify. I do not think that you could make a generalization on it, Senator."

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, I am going to support the amendment because I think that perhaps they have worked this out with the cities, but I think that the people of Seattle or any other city should be well informed that if there is some kind of a deal on the city will fork over one hundred and thirty thousand dollars or something to pay up somebody's pension, then I think that that is a problem the people of Seattle or someone have, not me, as long as it does not come to the state of Washington. Perhaps there is some merit in it. It is a matter now between the people of the city, the officials of the city and the individuals they are going to take care of, and I do not usually favor these double pensions because I think actually what we may be doing, and I do not know how we could control it between states, Senator Durkan, so I am not criticizing the amendment, but I do think that there is a possibility here that we could have a man for a couple of years and go out at an extremely high pension, which we owe him if he deposits that money in our system. But then he can go back to another state and build up another pension which probably would not be fair to the people of that other state."

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Ridder yield? Senator Ridder, what is the top amount of your salary you can draw under this bill now with the five years military service credit in here?"

Senator Ridder: "He would have to have twenty-five years to get the five years."

Senator Atwood: "All right, but is there a sixty percent cap in this bill like there is in PERS and TRS or proposed to be in TRS?"

Senator Ridder: "There is no cap because retirement officers, I understand, must leave at age sixty."

Senator Atwood: "What is the maximum amount of salary they can draw? Let us assume they were employed at age eighteen or twenty."

Senator Ridder: "The average age is about twenty-three now and they are going up."

Senator Atwood: "Let us assume, what is the maximum amount if they start at twenty-three."

Senator Ridder: "Twenty-three from sixty gives him thirty-seven years times two is seventy-four percent. That is the ultimate."

Senator Atwood: "That is fourteen percent above what the TRS and PERS can get."

Senator Ridder: "But you must remember, Senator Atwood, . . ."

Senator Atwood: "Plus the five years of military service credit?"

Senator Ridder: "Yes, if he lasts twenty-five years."

Senator Atwood: "If he lasts thirty-seven years. Now we have right in front of us here a prime example of leapfrogging and a classic. PERS and TRS will be right back here, ERS incidentally can do that now, but I just want to call it to the attention of the group here what we have in front of us."

Senator Ridder: "I think in this case we get a little shook when we think of the upper limits. You have to remember though that PERS and Teachers have more sedentary occupations, that policemen and state patrolmen and firefighters have a completely different way of life. The job that they serve is one that is potentially incapacitating, back injuries, heart trouble, can you imagine a man triggered to action every night by the sound of a gong, the fire signal? I know many of you men have seen action. But aside from that, the strain on a human being in the position of a firefighter."

#### POINT OF INQUIRY

Senator Rasmussen: "Mr. President, I would like to ask Senator Ridder, would he yield to another question? Senator Ridder, I have been looking over this amendment and I do not see any place in here that it says that he has to withdraw his contributions from the California retirement system."

Senator Ridder: "Okay, 'any out of state service credit which has been vested in an out-of-state retirement plan shall not be creditable in this system.' If he has seventeen years vested in California, he cannot apply that to this system until he un-vests it, and the only way he can un-vest it is to take his portion out and come up here."

Senator Rasmussen: "We are speaking, of course, of the chief of Seattle?"

Senator Ridder: "Right."

Senator Rasmussen: "Now I can also see this type of an amendment coming onto the PERS system at such a time as the Governor wants to reach out and make some appointment from out of state."

Senator Ridder: "Gentlemen, we have the right here on this floor to make that decision when the time comes."

Debate ensued.

#### POINT OF INQUIRY

Senator Dore: "Will Senator Ridder yield to a question? Senator Ridder, I notice the word 'equivalent', chief of the department or the equivalent, and so on. Now Senator Grant just put his finger on it that a lot of these department heads are called chief. Would they be eligible for the same benefits? Like Chief Booth in the King County Sheriff's Department. They call him chief, he is kind of the assistant chief."

Senator Ridder: "No, what we were trying to get at is that they call the King County Sheriff by different names and the equivalent of chief, if he is called by a different name, but it only takes chief."

Senator Dore: "Just for the journal then, it would be number one head of a police department, not the number two, regardless of what they call him?"

Senator Ridder: "Right. Regardless of what they call him."

Senator Dore: "Now the second question is, the way I read the amendment you indicated earlier that he would have to take the money out of the California system. It looks to me that he could use other money and pay into our system, the way it is worded, and get

a pension and also use the same years down there in California and draw a pension there. I see no exclusion in the language here. I will read it to you. It says, 'such out-of-state service shall be credited upon payment to the Washington Law Enforcement Officers' and Firefighters' Retirement System of an amount equal to the contribution'. In other words, it does not say he has to take it out of there. 'Equal to the contributions which have been made during those periods of out-of-state service had the service then been creditable under this system, all of interest to the date of payment.' In other words, he could go down to the bank, borrow the money, pay it into our system and use those seventeen years as in the case in Seattle and then go down and also use them down there which would kind of be a double dip, wouldn't it? And would not an amendment here to exclude that possibility be in order?"

Senator Ridder: "He could not use them because if he remained vested with those seventeen years in California, any time he takes that money out, and he has to, if he is vested at all it cannot be added to this."

Senator Dore: "That is the question, Senator. Where in the amendment does it require him to take the money out? It does not."

Senator Ridder: "Then he does not get credit for it?"

Senator Dore: "No, it just says an amount equal to that."

Senator Ridder: "No, it says right down here in the fifth line up, 'Any out-of-state service credit which has been vested in an out-of-state retirement plan shall not be creditable.'"

Senator Dore: "You have got a different amendment. I have, 'such out-of-state service shall be credited upon payment to the Washington Law Enforcement Officers' and Firefighters' Retirement System of an amount equal', it does not say out of that fund—'an amount equal to the contribution which would have been made during those periods of out-of-state service had the service then been creditable under this system all of interest to the date of payment.' In other words, he is not required to divest himself of the money paid in in California."

Senator Ridder: "Right. He could keep it to himself. But if he stays vested in that system so he can back into it, then he cannot count that time."

Senator Dore: "In the state system here you are vested after ten years. I assume down there he is vested, not for a full pension, but he is vested for some partial pension in California now."

Senator Ridder: "Right."

Senator Dore: "So he can use those same seventeen years by going to the bank and borrowing an amount equal to that and paying in this system."

Senator Ridder: "No."

Senator Dore: "Well, that is the way it reads, as I read it."

Senator Ridder: "It says that if he leaves anything in there that is vested if he has any vested credit in the other system, then he cannot take any credit for it in this system."

Senator Dore: "Where does it say that?"

Senator Ridder: "It says, 'any out-of-state service credit which has been vested in an out-of-state retirement plan shall not be creditable to this system.' If he kept five years vested down there . . ."

Senator Dore: "What line is that, Senator?"

Senator Ridder: "It is about the fifth line up from the bottom."

#### POINT OF ORDER

Senator Bottiger: "Mr. President, I think the rules call for questions and answers and not conversation."

#### RULING BY THE PRESIDENT

The President: "The Senator's point is well taken."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Ridder further yield? Now you talk about out-of-state service. How about people who work for the Indian Department? We have Indian policemen over my way. Would they count the same as out-of-state people, because they are not under any other system? They are under federal system. Would they count? Would they be able to come in and claim the time they had worked in the Indian police?"

Senator Ridder: "Well, now, we are talking here about a chief."

Senator Woodall: "Well, they are all chiefs."

## POINT OF ORDER

Senator Bottiger: "Mr. President, in order to get this out of the way, I raise the question of scope and object of the amendment."

## RULING BY THE PRESIDENT

The President: "Senator Bottiger has raised the point that the amendment does increase the scope and object. The President, in ruling upon the point of order as presented by Senator Bottiger, finds that the proposed amendment pertains to service credits in the LEFF system for service rendered in other states. The measure before the Senate, Senate Bill No. 2266, does not pertain to either out-of-state service credits or separate credit rules for department chiefs. The amendment therefore does increase the scope and object of the bill and the point is well taken."

The amendment by Senator Durkan was ruled out of order.

Senator Mardesich moved adoption of the following amendment:

On page 12 after section 3 add a new section as follows:

"Sec. 4. Section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.100 are each amended to read as follows:

"A member upon retirement for service shall receive a monthly retirement allowance computed according to his completed creditable service, as follows: Five years but under ten years, one-twelfth of one percent of his final average salary for each month of service; ten years but under twenty years, one-twelfth of one and one-half percent of his final average salary for each month of service; and twenty years and over, one-twelfth of two percent of his final average salary for each month of service: *PROVIDED, That completed creditable service shall not exceed thirty years:*

*PROVIDED FURTHER,* That the recipient of a retirement allowance who shall return to service as a law enforcement officer or firefighter shall be considered to have terminated his retirement status and he shall immediately become a member of the retirement system with the status of membership he had as of the date of his retirement. Retirement benefits shall be suspended during the period of his return to service and he shall make contributions and receive service credit. Such a member shall have the right to again retire at any time and his retirement allowance shall be recomputed, and paid, based upon additional service rendered and any change in final average salary."

Renumber the remaining sections.

## POINT OF INQUIRY

Senator Canfield: "Will Senator Mardesich yield? Supposing a fellow has this job and he is entitled to benefits, then let us suppose he decides he does not want to do it anymore and he drops out for ten years, then he comes back and in the meantime salary scales have been raised substantially and he serves for a short time and quits again. Now, does your amendment say that he will receive his benefits based upon his last two years of salary when he has been out of the profession for ten years?"

Senator Mardesich: "I would assume that he could do that under the PERS system and it would apply as well here, assuming that you can leave for a period of ten years under PERS, which I believe you can."

## POINT OF INQUIRY

Senator Canfield: "Would Senator Ridder yield? Senator, several years ago several of us were in favor of a pension commission to try to resolve these problems to prevent leapfrogging and I know you are well aware of all that. It seems to me today now we are really doing a lot of things. We are distributing goodies like we are going to run out pretty soon, and I am wondering if we are doing anything to establish parity and equality and, what you said awhile ago, equity in these systems, or are just finding what you call loopholes to plug and plugging them up with money?"

Senator Ridder: "I think when you look at the fiscal notes you will find that we have been fiscally responsible, that the money going into this system, thirty-two million dollars in the course of five and one-half years is more than going to take care of the little twenty-five thousand dollar item here on military and it is going to take care of a lot of other items that we talked about. This is perfectly within the realm. I think you people are cutting it even further. Now we got with the police and firemen and the cities and we ground this bill out. The Public Pension Commission has met time and time again on this. The various pension subcommittees talked about this. It has never come up until we get to this floor, and making amendments like this, right off, shooting from the hip, is not the way to build the pension system. I can understand how you people feel but I think you are working from emotion rather than from actuarial soundness. I think that we should take a long look at it before we move into this."

## POINT OF INQUIRY

Senator Atwood: "Will Senator Ridder yield? What is the unfunded liability created by the five years military service credit you are now allowing in this bill?"

Senator Ridder: "You go on again to unfunded liability. One just does not know until you actuarially cost it out. This system would assume that possibly the same way that the state patrol would assume it."

Senator Atwood: "Senator Ridder, the cities of the state were not given an opportunity to meet this until just very recently here and the cities have informed us that the unfunded liability, as near as they can tell without an actuarial costing, is eighty-four millions of dollars. Now I am not sure whether they are right or wrong, but I just would hope that everyone is aware what this five years additional does."

Senator Ridder: "Mr. Bleakney, who has worked with pension systems and who is acquainted with all of the systems, sat in with us at length and we have discussed these things. Never once has the situation of sixty percent come up or even been discussed. This is something new that is thrown out here. I can understand your feelings and I think we should look at it, but this has not been part of the long term negotiations to get to this point. It just comes out and jumps out on the floor. Now as to unfunded liability, the actuary feels that it is a sound system, that it can assume this within its present system without any strain. The problem is now you are taking quite a hunk away from the fireman and policeman with no added increases in his. Now you just take a look at it, what he has done. He has put in one percent more on his contribution level, over a million dollars, and he has given his six months disability contribution which is another eight hundred seventy-five thousand, and he is taking twenty-five thousand in military out of there and now you are going to say, 'Okay, we are going to take away the down to sixty percent and lower your ability to get a fair pension out of this.' I think you are going a little too far. I really do."

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Ridder yield to a further question? Senator Ridder, what are the statistics? Is it true that the average fireman and policeman retire after twenty-five years?"

Senator Ridder: "This is not necessarily true, but there is a limit of sixty that they get out of the system, when they are sixty years of age, because we just cannot have older policemen and firemen. So this limits them automatically to getting more than that."



Senator Rasmussen: "So then this thirty percent would be all right, the thirty years, which would give them five years leeway over the average in which they retire after twenty-five years of service?"

Senator Ridder: "You give an opportunity to a man that goes in at the age of twenty-five to put in that extra little bit of time if he can make it, but many of them have back injuries, kidney injuries, smoke inhalation emphysema, and it gives them a little chance to go on. It also, and I must remind you, gives you a chance to sort of keep them off of the disability and going out under disability, if this is what you want."

Senator Ridder demanded a roll call and the demand was sustained by Senators Durkan, Day, Connor, Greive, Bailey, Metcalf, Talley, Walgren and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Mardesich was adopted by the following vote: Yeas, 26; nays, 21; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Guess, Jolly, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Scott, Sellar, Twigg, Wanamaker, Washington, Woodall-26.

Voting nay: Senators Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Keefe, Knoblauch, Marsh, Odegaard, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Woody-21.

Absent or not voting: Senator Grant-1.

Excused: Senator Whetzel-1.

On motion of Senator Mardesich, the following amendment to the title was adopted:

On page 1, line 8 of the title, after "RCW 41.26.080;" insert "amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.100;"

On motion of Senator Ridder, Engrossed Substitute Senate Bill No. 2266 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2266, and the bill passed the Senate by the following vote: Yeas, 39; nays, 9; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woodall, Woody-39.

Voting nay: Senators Atwood, Clarke, Guess, Jolly, Jones, Murray, Sellar, Twigg, Wanamaker-9.

Excused: Senator Whetzel-1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

ENGROSSED HOUSE BILL NO. 785, increasing the minimum wage (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the State of Washington and custodian of its seal, hereby certify that according to the records on file in my office, attached is a true and correct copy of Enrolled Senate Bill No. 2459 as passed by the Legislature of the State of Washington in the 1973 Regular Session, and approved into law by the Governor with the exception of Section 11, which he vetoed.

I further certify that this Act is now identified as Chapter 134, Laws of 1973 and, because of the emergency clause contained in Section 12, became effective upon approval of the Governor as of March 20, 1973. In witness whereof I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol, March 21, 1973.

A. LUDLOW KRAMER  
Secretary of State.

#### CERTIFICATION OF ENROLLED ENACTMENT SENATE BILL NO. 2459 CHAPTER 134, LAWS OF 1973

(Because of the emergency clause contained in Section 12, this Act became effective upon approval of the Governor as of March 20, 1973, with the exception of Section 11 which he vetoed.)

Passed the Senate February 19, 1973; Yeas, 48; nays, 0.

Passed the House February 28, 1973 as amended; Yeas, 98; nays, 0.

The Senate concurred in the House amendments and passed the bill as amended, March 2, 1973: Yeas, 42; nays, 0.

#### CERTIFICATE

I, Sidney R. Snyder, Secretary of the Senate of the State of Washington, do hereby certify that the attached is Enrolled Senate Bill No. 2459 as passed by the Senate and the House of Representatives on the dates hereon set forth.

SIDNEY R. SNYDER  
Secretary of the Senate.

#### MESSAGE FROM THE GOVERNOR

March 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 2459 entitled:

"An Act relating to domestic relations."

This bill creates rights and processes relating to the custody of children, which recognizes that neither parent may be absolutely barred from custody of a child. The necessity for this legislation arises from the decisional law of the U.S. Supreme Court, which has held that the fact of non-marriage between parents is not sufficient grounds to deny a father all chance of having custody of his children.

As a direct consequence of the decision of the Supreme Court, fathers must now be given adequate notice of proceedings, within the meaning of the due process clause of the Constitution, when their illegitimate children are put up for adoption. Failure to give such

notice can mean that adoptive parents may lose their child at some point in the future if the parent who was not notified attacks the adoption in court. The processes and procedures provided for in this act are designed to render as secure as possible any adoption which is finalized in a legal manner.

Section ten of the act further provides that a parent who successfully attacks an adoption to obtain custody of the adoptive child must pay the adoptive parents all direct and indirect costs of child support which the adoptive parents had previously incurred. Section eleven provides that, before a natural parent may file suit to obtain custody of his child from adoptive parents, he must file a bond in the amount of \$100 a month for every month the adoptive parents had custody of the child, such bond to be security for any damages which might be adjudged under section ten. Section eleven clearly discriminates against those persons who have insufficient resources to obtain the bond, preventing those persons from even getting into a court to test the merits of their claim. The random impact of such a provision, denying only those who have limited resources full access to the courts, deters the basic function of the judicial system, to decide the issues of a law suit on its merits. Accordingly, I have determined to veto section eleven for the reasons set forth above.

With the exception of section eleven, I have approved Senate Bill No. 2459.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

SENATE BILL NO. 2459, by Senators Bottiger and Scott:

An Act relating to domestic relations; amending section 19, chapter 203, Laws of 1919 and RCW 26.24.190; amending section 3, chapter 291, Laws of 1955 and RCW 26.32.030; amending section 4, chapter 291, Laws of 1955 and RCW 26.32.040; amending section 5, chapter 291, Laws of 1955 and RCW 26.32.050; amending section 8, chapter 291, Laws of 1955 and RCW 26.32.080; amending section 1, chapter 49, Laws of 1903 and RCW 26.37.010; adding new sections to chapter 291, Laws of 1955 and to chapter 26.32 RCW; adding a new section to chapter 49, Laws of 1903 and to chapter 26.37 RCW; adding a new section to chapter 26.28 RCW; and declaring an emergency.

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

Section 1. Section 19, chapter 203, Laws of 1919 and RCW 26.24.190 are each amended to read as follows:

[If the mother be a suitable person she shall be awarded the custody and control of said child, if she be not a suitable person, the court may deliver] *In any filiation proceeding where the accused is found to be the father of the child, the court shall include in its judgment an award of custody of the child to that parent who is the more fit from the standpoint of furthering the child's welfare: PROVIDED, That if the court finds both parents unfit to have custody of the child, then the court shall provide for the care and custody of said child [to] by any reputable person, [including the accused, charitable or state institution] appropriate private agency licensed pursuant to chapter 74.15 RCW, or appropriate public agency.* Such order and judgment may further provide, in the discretion of the court, that the surname of the [accused] child shall henceforth be [the lawful surname of such child] *that parent's surname which the court finds would be in the best interest of the child.*

Sec. 2. Section 3, chapter 291, Laws of 1955 and RCW 26.32.030 are each amended to read as follows:

Written consent to such adoption must be filed prior to a hearing on the petition, as follows:

(1) By the person to be adopted, if such person is fourteen years of age or older, but the filing of such consent shall not obviate the necessity of securing any other consent herein required;

(2) If the person to be adopted is of legitimate birth or legitimized thereafter, and a minor, then by each of his living parents, except as hereinafter provided;

(3) If the person to be adopted is illegitimate and a minor, then by his mother *and father*, if living, except as [hereinafter] provided *in this 1973 amendatory act*;

(4) If a legal guardian has been appointed for the person of the child, then by such guardian;

(5) If the person to be adopted is a minor and has been permanently committed upon due notice to his parents by any court of general jurisdiction to an approved agency, then by such approved agency, in which event neither notice to nor consent by its parents in the adoption proceeding shall be necessary: PROVIDED, That if the approved agency refuses to consent to the adoption, the court, in its discretion, may order that such consent be dispensed with.

Sec. 3. Section 4, chapter 291, Law of 1955 and RCW 26.32.040 are each amended to read as follows:

No consent for the adoption of a minor shall be required as follows:

(1) From a parent deprived of civil rights when in a hearing for that purpose, as provided in RCW 26.32.050, the court finds that the circumstances surrounding the loss of said parent's civil rights were of such a nature that the welfare of the child would be best served by a permanent deprivation of parental rights;

(2) From a parent who has been deprived of the custody of the child by a court of competent jurisdiction, after notice: PROVIDED, That a decree in an action for divorce, separate maintenance, or annulment, which grants to a parent any right of custody, control, or visitation of a minor child, or requires of such parent the payment of support money for such child, shall not constitute such deprivation of custody;

(3) From a parent who, more than one year prior to filing of a petition hereunder, has been adjudged to be mentally ill or otherwise mentally incompetent, and who has not thereafter been restored to competency by the court making such adjudication, and the court at a hearing called for such purpose, as provided in RCW 26.32.050, finds that the best interests of the child will be served by a permanent deprivation of custody;

(4) From a parent who has been found by a court of competent jurisdiction, upon notice as herein provided to such parent, to have deserted or abandoned such child under circumstances showing a wilful substantial lack of regard for parental obligations;

(5) From a [father] *parent* of an illegitimate child *who prior to entry of the interlocutory decree of adoption has not contested the proposed adoption after having been provided with notice of a hearing on an adoption petition pursuant to the notice provisions of section 6 of this 1973 amendatory act;*

(6) *From a parent who has surrendered the child pursuant to section 7 of this 1973 amendatory act.*

Sec. 4. Section 5, chapter 291, Laws of 1955 and RCW 26.32.050 are each amended to read as follows:

If the court in an adoption proceeding, after a hearing for that purpose upon notice thereof as hereinafter provided having been given to a parent, finds any of the conditions set forth in RCW 26.32.040 to be a fact as to the parent, the court may decree that consent of such parent shall not be required prior to adoption [: PROVIDED, That the father of an illegitimate child shall not be entitled to notice of such hearing].

Sec. 5. Section 8, chapter 291, Laws of 1955 and RCW 26.32.080 are each amended to read as follows:

(1) The court shall direct notice of any hearing under RCW 26.32.050 to be given to any nonconsenting parent or guardian, if any, and to any person or association having the actual care, custody, or control of the child: PROVIDED, That where a parent has been deprived of the custody of such child and such child has been set over for adoption by an order of a court of competent jurisdiction, after due notice in a proceeding regularly had for such purpose, no notice need be given to the parent so deprived and the record of such deprivation proceedings shall be deemed prima facie proof of such deprivation;

(2) Such notice shall be given in the following manner: The court shall direct the clerk to issue a notice of such hearing directed to the persons entitled to notice, notifying such persons of the filing of the petition, stating briefly the object of the petition and the purpose of the hearing, and notifying such persons of the date, time and place of the hearing. A copy of the notice shall be served in the manner provided by law for the service of the summons upon the persons entitled thereto at least ten days prior to the hearing;

(3) In the event it shall appear by the affidavit of the petitioners that the persons

entitled to notice, or either of them, are nonresidents of the state or that they cannot, after diligent search, be found within the state, and that a copy of said notice has been deposited in the post office, postage prepaid, directed to such person or persons at their last known place of residence, unless it is stated in the affidavit that such residence is unknown to petitioners, then the court [may] shall order said notice published in a legal newspaper printed in the county, qualified to publish summons, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-five days prior to the date fixed for the hearing. Proof of service of notice shall be filed in the cause as required by law for making proof of the service of summons or summons by publication;

(4) Personal service of the notice out of the state, made twenty-five days or more prior to the date fixed for the hearing, shall be deemed equivalent to service by publication;

(5) If the court is satisfied of the illegitimacy of the child to be adopted, and so finds, [no] then notice to [the father] any nonconsenting parent of such child shall be made as required under the provisions of section 6 of this 1973 amendatory act.

(6) Except as provided in subsection (5) of this section, a notice in substantially the following form will be deemed sufficient:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

FOR THE COUNTY OF .....

In the Matter of the Adoption of) No. ....

JANE DOE ) NOTICE

To John Doe (nonconsenting parent) and to all whom it may concern:

You are hereby notified that there has been filed in this court a petition for the adoption of the above named, praying also that there be first an adjudication that the consent of John Doe to such adoption is not required by law.

A hearing for such purpose will be had on the ..... day of ....., 19...., at the hour of 9:30 a.m., at the courtroom of said superior court, at ....., or to such other department of the court to which said matter may be then and there transferred, when and where all persons interested shall appear and show cause why such adjudication should not be made, and why, if made, such petition should not be thereafter heard forthwith and the prayer thereof granted.

WITNESS, The Honorable ....., Judge of said Superior court, and the seal of said court hereunto affixed this ..... day of ....., 19....

..... Clerk

..... Deputy Clerk

(Seal)

NEW SECTION. Sec. 6. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

The following requirements regarding notice of hearing on a petition for adoption shall apply to the parent of an illegitimate child who has not consented to the adoption of such child:

(1) Where the court has reason to believe or suspect that any person not before the court is or might be the parent of such child, the court shall direct the clerk to issue the notice prescribed in subsection (3) of this section to such person. The notice required under this subsection shall be served in the manner provided by law for the service of summons upon the person entitled thereto at least ten days prior to the hearing. In the event that a person entitled to notice under this subsection is a nonresident of the state or cannot after diligent search be found within the state, then:

(a) If the last known place of residence of such person is known, a copy of notice shall be deposited in the post office, postage prepaid, directed to such person at his last known place of residence.

(b) If the last known place of residence of such person is not known, then notice shall be made by publication in the manner required under subsection (2) of this section and as prescribed under subsection (3) of this section.

(2) Notice by publication shall be made in every case, except where service of the notice has been made on a person who either:

(a) acknowledges that he is a parent and the court finds him to be a parent, or

(b) has been found to be the father pursuant to chapter 26.24 RCW.

In addition, the court may require notice by publication whenever the court believes such notice might be necessary to protect the validity of adoption proceedings and any decree of adoption. Whenever notice by publication is required, the court shall direct the clerk to publish the notice in a legal newspaper printed in the county, qualified to publish summons, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-five days prior to the date fixed for the hearing. The notice shall be in the form prescribed under subsection (3) of this section.

(3) The notice required under subsections (1) and (2) of this section shall be in substantially the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF .....

In the Matter of the Adoption of No. ....

Jane Doe Notice

To all whom it may concern:

You are hereby notified that there has been filed in this court a petition for the adoption of the above named, praying also that there be first an adjudication that the consent of the ..... (father or mother) of such child is not required by law.

You are also notified that the consent of the ..... (mother or father) of the above named, such ..... (mother's or father's) name being ..... has already been given or is not required by law.

A hearing for such purpose will be had on the ..... day of ....., 19...., at the hour of 9:30 a.m., at the courtroom of said superior court, at ....., or to such other department of the court to which said matter may be then and there transferred, when and where all persons interested shall appear and show cause why such adjudication should not be made, and why, if made, such petition should not be thereafter heard forthwith and the prayer thereof granted.

WITNESS, The Honorable ....., Judge of said Superior Court, and the seal of said court hereunto affixed this ..... day of ....., 19....,

..... Clerk  
..... Deputy Clerk

(Seal)

Sec. 7. Section 1, chapter 49, Laws of 1903 and RCW 26.37.010 are each amended to read as follows:

Any benevolent or charitable society incorporated under the laws of this state for the purpose of receiving, caring for or placing out for adoption, or improving the condition of orphan, homeless, neglected or abused minor children of this state shall have authority to receive, control, and dispose of children under eighteen years of age under the following provisions:

(1) When the father and mother or the person or persons legally entitled to act as guardian of the person of any minor child shall, in writing, surrender such child to the charge and custody of said society, such child shall thereafter be in legal custody of such society for the purposes herein provided.

(2) In case of death or legal incapacity of a father or his abandonment or neglect to provide for his family, the mother shall have authority to make such surrender, and in case of the death or legal incapacity of a mother, or her abandonment of such child, then the father shall have authority to make such surrender.

(3) In all cases where the person or persons legally authorized to make such surrender are not known, any judge of superior court may cause a notice of hearing to be published in any newspaper of general circulation printed and published in the county, and if he deems it best for such orphan, homeless, neglected or abused child, he may surrender it to any benevolent or charitable society incorporated under the laws of Washington and having for its object the care of such children.

(4) *In cases where the child to be surrendered is illegitimate and is surrendered in writing by either parent, but not both parents, then the court shall hold a hearing on the surrender in the manner provided under section 8 of this 1973 amendatory act, and if the*

parent who has not agreed to the surrender in writing does not contest the surrender at such hearing, then such parent shall be deemed to have surrendered the child and the court shall authorize the surrender. This subsection shall not apply to or bar surrenders authorized under subsection (2) of this section.

(5) When any child shall have been surrendered in accordance with any of the preceding clauses and such child shall have been accepted by such society, then, (but not otherwise), the rights of its natural parents or of the guardian of its person (if any) shall cease and such corporation shall become entitled to the custody of such child, and shall have authority to care for and educate such child or place it either temporarily or permanently in a suitable private home in such manner as shall best secure its welfare. Such corporation shall have authority when any such child has been surrendered to it in accordance with any of the preceding provisions, and it is still in its control, to consent to its adoption under the laws of Washington. The custody or control of any such child by any such corporation or by any other corporation, institution, society or person may be inquired into, and, in the discretion of the court, terminated at any time by the superior court of the county where the child may be, upon the complaint of any person, and a showing that such custody is not in the interest of the child.

**NEW SECTION.** Sec. 8. There is added to chapter 49, Laws of 1903 and to chapter 26.37 RCW a new section to read as follows:

(1) Whenever one parent, but not both parents, of an illegitimate child surrenders the child in writing pursuant to subsection (4) of section 7 of this 1973 amendatory act, the surrender shall not be valid unless a petition for surrender is granted by the court in conformity with the provisions of this section. The court shall grant such petition if the parent who did not provide the surrender in writing fails to contest the petition at the hearing held thereon.

(2) Where the court has reason to believe or suspect that any person not before the court is or might be the parent of such child, the court shall direct the clerk to issue the notice prescribed in subsection (4) of this section to such person. The notice required under this subsection shall be served in the manner provided by law for the service of summons upon the person entitled thereto at least ten days prior to the hearing. In the event that a person entitled to notice under this subsection is a nonresident of the state or cannot after diligent search be found within the state, then:

(a) If the last known place of residence of such person is known, a copy of the notice shall be deposited in the post office, postage prepaid, directed to such person at his last known place of residence.

(b) If the last known place of residence of such person is not known then notice shall be made by publication in the manner required under subsection (3) of this section and as prescribed under subsection (4) of this section.

(3) Notice by publication shall be made in every case, except where service of the notice has been made on a person who either:

(a) acknowledges that he is a parent and the court finds him to be a parent, or

(b) has been found to be the father pursuant to chapter 26.24 RCW.

In addition, the court may require notice by publication whenever the court believes such notice might be necessary to protect the validity of adoption proceedings and any decree of adoption. Whenever notice by publication is required, the court shall direct the clerk to publish the notice in a legal newspaper printed in the county, qualified to publish summons, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-four days prior to the date fixed for the hearing. The notice shall be in the form prescribed under subsection (4) of this section.

(4) The notice required under subsections (2) and (3) of this section shall be in substantially the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF .....

In the Matter of the Surrender of No. ....

Jane Doe Notice

To all whom it may concern:

You are hereby notified that there has been filed in this court a petition for the

surrender of the above-named, praying also that there be first an adjudication that the . . . . . (father's or mother's) written surrender of such child is not required by law.

You are notified that the written surrender of the above-named by the . . . . . (father or mother) of the above-named, such . . . . . (father's or mother's) name being . . . . ., has already been given or is not required by law.

You are further notified that your failure to contest the surrender of the above-named at the hearing described in this notice may result in the relinquishment of your rights to custody and control of the above-named and the adoption of the above-named.

A hearing for such purpose will be had on the . . . . . day of . . . . ., 19. . . ., at the hour of 9:30 a.m., at the courtroom of said superior court, at . . . . ., or to such other department of the court to which said matter may be then and there transferred, when and where all persons interested shall appear and show cause why such adjudication should not be made, and why, if made, such petition should not be thereafter heard forthwith and the prayer thereof granted.

WITNESS, the Honorable . . . . ., Judge of said Superior court, and the seal of said court hereunto affixed this . . . . . day of . . . . ., 19. . . .

..... Clerk  
..... Deputy Clerk  
(Seal)

*NEW SECTION.* Sec. 9. There is added to chapter 26.28 RCW a new section to read as follows:

The parents of an illegitimate child shall have primary rights to the custody of such child. Between the parents of an illegitimate child, that parent who is the more fit from the standpoint of furthering the child's welfare shall have the superior right to custody. In any dispute between the natural parents of an illegitimate child and person or persons who have (1) commenced adoption proceedings or who have been granted an order of adoption, and (2) pursuant to court order or placement by the department of social and health services or 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.

*NEW SECTION.* Sec. 10. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

Where a natural parent (or parents) of an illegitimate child successfully petitions to have the adoption of the child set aside, the parent shall be liable to the adoptive parents (or parent) for their direct and indirect costs in supporting such child.

The term "direct and indirect costs" as used in this section shall include both actual expenditures and the value of services rendered by the adoptive parents in caring for the child.

*NEW SECTION.* Sec. 11. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

In each action brought by a natural parent (or parents) of an illegitimate child to set aside the adoption of the child, no hearing or trial on the merits of the action shall be conducted until such time as the natural parent (or parents) posts a bond equal to one hundred dollars for each period of thirty days which the adoptive parents (or parent) had custody of the child. Such bond shall be used to satisfy the adoptive parents' right under section 10 of this 1973 amendatory act to compensation for support in the event the adoption is set aside.

*NEW SECTION.* Sec. 12. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

*NEW SECTION.* Sec. 13. If any provision of this 1973 amendatory act, or its



application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 2, 1973.

JOHN A. CHERBERG  
President of the Senate.

Passed the House February 28, 1973.

LEONARD A. SAWYER  
Speaker of the House.

Approved March 20, 1973, with the exception of Section 11 which is vetoed.

DANIEL J. EVANS  
Governor of the State of Washington.

#### MOTION

Senator Bottiger moved that Enrolled Senate Bill No. 2459 do pass notwithstanding the governor's partial veto.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Enrolled Senate Bill No. 2459, notwithstanding the Governor's partial veto, and the motion by Senator Bottiger carried by the following vote: Yeas, 40; nays, 6; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Woodall, Woody—40.

Voting nay: Senators Atwood, Canfield, Jones, Lewis (Harry), Newschwander, Wanamaker—6.

Absent or not voting: Senators Mattingly, Van Hollebeke—2.

Excused: Senator Whetzel—1.

ENROLLED SENATE BILL NO. 2459, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Woodall, Enrolled Senate Bill No. 2459 was ordered immediately transmitted to the House.

#### MOTION

Senator Sandison moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-71

By Senators Sandison, Canfield and Odegaard:

WHEREAS, The Legislature of the State of Washington has continuously during recent legislative sessions addressed the need to provide for effective and efficient vocational education services within the common schools and the community college systems; and

WHEREAS, Senate Concurrent Resolution 1971-23 directed that a study be made of the delivery systems for vocational education and the results of that study which have been presented to this Legislature indicated in summary that adequate data to answer the complex problems related to this issue had not been made available to date to advise the

Legislature on organizational matters, although certain program and management systems proposals were recommended; and

WHEREAS, The recommendations from Senate Concurrent Resolution 23 proposed a continuation of the study to build upon the information already collected; and

WHEREAS, Two sharply differing philosophic approaches to confronting this problem have been introduced before the 1973 Legislature, and the Legislature has concluded it does not have sufficient information to determine whether these proposals are complementary or conflicting, and to what degree either would improve the delivery systems for vocational education in the State;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Committee on Higher Education and the Committee on Education shall appoint a joint six-member study committee composed of the respective chairmen and two members from each committee, including representatives of both caucuses, to carry out a special study and report their recommendations concerning the desirability of modifying the state's vocational education systems, such study to include but not be limited to the following issues:

(1) development of planning, administrative and budgetary systems to provide efficient and effective secondary and post-secondary vocational education;

(2) definition of the structural changes necessary to accomplish the goals in subsection (1);

(3) determination of state planning mechanisms to assure coordination in policy development and consistency with the state's plans for secondary and post-secondary education;

(4) need for immediate expansion of vocational educational programs and facilities, and the funding thereof; and

BE IT FURTHER RESOLVED, That the study committee may appoint an advisory committee composed of state educational administrators and representatives of industry and labor organizations to sit with the study committee during its deliberations to assist in framing the scope and direction of the study, and such advisory committee members will be allowed to critique and present views upon the data and information gathered in carrying out this study; and

BE IT FURTHER RESOLVED, That the Coordinating Council for Occupational Education and the Advisory Council for Vocational Education shall provide the study committee with all data and documents relating to the Senate Concurrent Resolution 1971-23 study; and

BE IT FURTHER RESOLVED, That the study committee may ask for and shall receive the cooperation of the Superintendent of Public Instruction, the State Board for Community College Education, the Coordinating Council for Occupational Education, the Advisory Council for Vocational Education and the Council on Higher Education in conducting this study; and

BE IT FURTHER RESOLVED, That the study committee during the course of its study will hold such public meetings as are deemed necessary and will consult with members of the trades, professions, and affected organizations for the purpose of determining the needs for vocational preparation; and

BE IT FURTHER RESOLVED, That the study committee may retain consultants to advise on technical areas as deemed appropriate; and

BE IT FURTHER RESOLVED, That the results of this study shall be reported not later than November 1, 1974, to the respective standing committees for their review and recommendation to be submitted to the 1975 regular legislative session.

#### POINT OF INQUIRY

Senator Newschwander: "Would Senator Sandison yield to a question? I have really two questions. First of all, had you ever considered making this a bipartisan committee; and the second thing, we had a little problem with this in the House side. Did you consider maybe having House members so that there is no reason for us to come up with a possible solution that would pass the Senate and get stalled in the House the next time we come back here?"

Senator Sandison: "No. In answer to your first question, if you will notice in the resolution it says from both caucuses, which would take care of that problem. As far as the House set-up, I do not know. We have not worked with resolutions on a joint study. I would presume that they would come up with one that it would be easy enough to make a joint study. But at least this signifies the intent of the Senate that they think that it is important enough that it should be looked at."

Senator Newschwander: "My first question, I probably did not ask the question correctly but I think the problem is so important that I was wondering whether you would consider equal representation and take it out of the field of politics. Personally, I would like to see the resolution rewritten so that there would be some House members of equal number and possibly consider having equal representation so that maybe if we came up with the conclusion that we did have a chance to get it through both the House and the Senate. We all remember the fight we had in 1967 and this is kind of the easy way out this session and I think we should come up with something that we have a chance."

Senator Sandison: "Of course, you remember in 1967 the agreement was that the community colleges would not take them over and that the vocational-technical institutes would not expand. I would have no particular objection to the House being involved in this. However, we do have a motion from Senator Gardner that the matter be held over, which is certainly amenable with me and that can be discussed later."

#### MOTION

On motion of Senator Gardner, Senate Resolution 1973-71 was ordered held for consideration on the eighth order of business for Monday, April 9, 1973.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 782 and the Senate amendment thereto, Senators Mardesich, Whetzel and Grant.

#### MOTION

On motion of Senator Bailey, the appointments were confirmed.

#### MOTION

At 7:00 p.m., on motion of Senator Mardesich, the Senate adjourned until 6:30 p.m., Sunday, April 8, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**THIRTY-FIRST DAY****EVENING SESSION**

Senate Chamber, Olympia, Wash., Sunday, April 8, 1973.

The Senate was called to order at 6:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Rasmussen and Whetzel. On motion of Senator Scott, Senator Whetzel was excused. There being no objection, Senator Rasmussen was excused.

The Color Guard, consisting of Pages Dean Christopherson and Jeannine Roe, presented the Colors. Reverend Al Hulten, associate pastor of Evergreen Christian Center of Olympia, offered the following prayer:

“OUR HEAVENLY FATHER, EVERY TIME WE SEE THIS FLAG BROUGHT DOWN THE AISLE THERE COMES TO US A SENSE OF GRATITUDE FOR THIS GREAT NATION, AND FOR OUR GREAT PRIVILEGES. THANK YOU FOR THIS DAY OF FREEDOM. WE HAVE BEEN ABLE TO WORSHIP YOU FREELY, AND TO SHARE WITH FAMILY AND FRIENDS. MAY YOUR HAND EVER REST UPON THIS GREAT LAND AND ITS PEOPLE. BLESS THIS DAY THE PRESIDENT OF THE UNITED STATES AND HIS CABINET. GIVE THESE MEN THE STRENGTH THEY NEED IN THESE DAYS OF INTERNATIONAL STRESS. BLESS OUR GOVERNOR AND OUR STATE LEGISLATURE, AS WELL AS ALL LOCAL OFFICIALS IN GOVERNMENT AROUND THIS STATE. WE ARE TOLD IN SCRIPTURE TO PRAY FOR THOSE WHO HAVE THE RULE OVER US, SO WE LIFT THEM UP BEFORE YOU NOW. GIVE STRENGTH OF CHARACTER AND OF PURPOSE TO ALL, WE PRAY. NOW GRANT, DEAR LORD, THE SMOOTH FLOW OF BUSINESS IN THIS EVENING SESSION OF THE SENATE. MAY EACH ONE HERE ASSEMBLED KNOW THE LIFT THAT ONLY YOU CAN GIVE. BLESS THEIR FAMILIES AND ALL THAT CONCERNS THEM. MAY THEIR MINDS AND HEARTS BE AT EASE TO DO THE WORK BEFORE THEM. THIS IS OUR PRAYER, THROUGH CHRIST OUR LORD. AMEN.”

**MOTION**

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGES FROM THE HOUSE

April 7, 1973.

Mr. President: The House has passed:  
SUBSTITUTE HOUSE BILL NO. 445,  
ENGROSSED HOUSE BILL NO. 556,  
ENGROSSED HOUSE BILL NO. 636,  
ENGROSSED HOUSE BILL NO. 743,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 894,  
ENGROSSED HOUSE BILL NO. 895,  
SUBSTITUTE HOUSE BILL NO. 903,  
ENGROSSED HOUSE BILL NO. 928,  
HOUSE BILL NO. 1006,  
HOUSE BILL NO. 1008,  
SUBSTITUTE HOUSE BILL NO. 1049,  
SUBSTITUTE HOUSE BILL NO. 1060,  
ENGROSSED HOUSE BILL NO. 1061,  
HOUSE BILL NO. 1063,  
HOUSE BILL NO. 1099,  
HOUSE BILL NO. 1105,  
HOUSE JOINT RESOLUTION NO. 22, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 7, 1973.

Mr. President: The Speaker has signed:  
HOUSE BILL NO. 119,  
HOUSE JOINT MEMORIAL NO. 10, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 7, 1973.

Mr. President: The Speaker has signed:  
HOUSE BILL NO. 300,  
HOUSE BILL NO. 482, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2278,  
HOUSE BILL NO. 119,  
HOUSE BILL NO. 300,  
HOUSE BILL NO. 482,  
HOUSE JOINT MEMORIAL NO. 10.

## MESSAGE FROM THE HOUSE

April 7, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2840, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 445, by Committee on Social and Health Services (originally sponsored by Representatives Adams, Paris, McCormick, Wojahn, Conner, Gallagher, Bagnariol, Smythe, Douthwaite, Swayze, Charette, Goltz, Eng, Ceccarelli, Johnson, Lysen, Jastad, Freeman and Parker):

Prohibiting discrimination based on the presence of any sensory, mental, or physical handicap.

Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 556, by Representatives Maxie, Rabel and King:  
Providing for student participation in community college tenure process.

Referred to Committee on Higher Education.

ENGROSSED HOUSE BILL NO. 636, by Representative Smith:

Allowing the department of fisheries to supply salmon eggs for use in fish farming or aquaculture for any length of time.

Referred to Committee on Natural Resources.

ENGROSSED HOUSE BILL NO. 743, by Representatives Perry, Rabel and Charette:  
Adding additional exemptions to the state civil service act.

Referred to Committee on State Government.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, by Committee on Constitution and Elections (originally sponsored by Representative King):

Requiring the appointment of precinct committeemen as deputy voter registrars.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 895, by Representatives Bender, Clemente, Fortson and North (Frances):

Relating to public health, safety and welfare.

Referred to Committee on Education.

SUBSTITUTE HOUSE BILL NO. 903, by Committee on Constitution and Elections (originally sponsored by Representative King):

Amending procedures for vote tallying.

Referred to Committee on Constitution and Elections.

ENGROSSED HOUSE BILL NO. 928, by Representatives Thompson, Pardini and Gaspard:

Implementing the state liquor laws.

Referred to Committee on State Government.

HOUSE BILL NO. 1006, by Representatives Randall, Chatalas and Bagnariol:

Exempting certain personal contracts and athletic or sports franchises from property taxation.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 1008, by Representatives Bagnariol, Charette and Shinpoch:

Making an appropriation for publication of the session laws.

Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1049, by Committee on Labor (originally sponsored by Representatives Parker and Savage):

Requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries.

Referred to Committee on Labor.

SUBSTITUTE HOUSE BILL NO. 1060, by Committee on Ways and Means (originally sponsored by Representatives Bagnariol, Randall, Sommers and Williams):

Limiting aggregate property tax levies to one percent of true and fair value.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 1061, by Representatives Wojahn and Parker:

Amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions.

Referred to Committee on Labor.

HOUSE BILL NO. 1063, by Representatives Douthwaite and Kraabel:

Making certain changes in the administration of metropolitan public transportation facilities.

Referred to Committee on Transportation and Utilities.

HOUSE BILL NO. 1099, by Representative Perry:

Providing that the requirement of union membership for all members of a bargaining unit may be removed by majority vote of the entire membership.

Referred to Committee on State Government.

HOUSE BILL NO. 1105, by Representatives Luders, Zimmerman, Kilbury and Johnson:

Permitting the use of a short form for filing water rights claims.

Referred to Committee on Ecology.

HOUSE JOINT RESOLUTION NO. 22, by Representatives Kraabel, O'Brien, Bluechel and Barden:

Amending the Constitution to permit tax increment financing of urban development.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Francis, motion for reconsideration of the vote by which Substitute House Bill No. 392 failed to pass the Senate will be considered on Monday, April 9, 1973. The notice of reconsideration was received by Senator Francis on Saturday, April 7, 1973.

#### MOTION

At 6:40 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 8:15 p.m.

#### MOTIONS

On motion of Senator Dore, Substitute Senate Bill No. 2897 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

On motion of Senator Mardesich, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Tuesday, April 10, 1973.

On motion of Senator Mardesich, the following bills were ordered to hold their places on the second reading calendar for Monday, April 9, 1973: Senate Bills Nos. 2366, 2145, Substitute Senate Bill No. 2813 and Engrossed House Joint Resolution No. 6.

#### SECOND READING

SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

Clarifying the authority of sewer districts.

The Senate resumed consideration of Senate Bill No. 2572, the amendment proposed by Senator Grant to page 4, line 19, and the point of order as raised by Senator Talley on the amendment on Saturday, April 7, 1973.

There being no objection, the point of order by Senator Talley was withdrawn.

The motion by Senator Grant carried and the amendment was adopted.

On motion of Senator Talley, Engrossed Senate Bill No. 2572 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2572, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Absent or not voting: Senator Durkan—1.  
Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED SENATE BILL NO. 2572, having received the 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. 2602, by Senators Murray, Gardner and Talley (by Oceanographic Commission request):

Reconstituting the oceanographic commission.

The bill was read the second time by sections.

On motion of Senator Murray, Senate Bill No. 2602 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2602, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Absent or not voting: Senator Lewis (Harry)—1.  
Excused: Senators Rasmussen, Whetzel—2.

SENATE BILL NO. 2602, having received the 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. 2748, by Senator Walgren:  
Relating to transportation.

## MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 2748 was substituted for Senate Bill No. 2748 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, the following amendments were adopted:

On page 5, section 3, line 7, strike "directed" and insert "authorized".

On page 5, section 3, line 25, strike all the matter down through "study," on line 29.

On page 5, section 3, line 29, strike "directed" and substitute "authorized".

On motion of Senator Walgren, Engrossed Substitute Senate Bill No. 2748 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.



## POINT OF INQUIRY

Senator Metcalf: "Perhaps Senator Walgren would know the answer to this question. Senator Sandison and myself and two or three other Senators signed a floor resolution which passed the Senate last time requesting that the committee study and prepare legislation for the possible fishing on the Hood Canal Bridge. This is something that has been before us for a long time. I wonder where is that legislation? Is it around? I have not seen it."

Senator Walgren: "The legislation has been prepared. It was introduced and is in the Committee on Utilities and Transportation."

## POINT OF INQUIRY

Senator Henry: "Will Senator Walgren yield to a question? I notice a little figure called seven hundred and fifty thousand dollars. If this should happen to be the standing committee, do you have any idea where the seven hundred and fifty thousand dollars is coming from?"

Senator Walgren: "Senator Henry, anticipating that type of a question, we just struck that by amendment."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2748, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, having received the 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. 2749, by Senator Walgren:  
Relating to transportation.

## MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2749 was substituted for Senate Bill No. 2749 and the substitute bill was placed on second reading and read the second time in full.

## MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 2749 was ordered placed on the second reading calendar for Monday, April 9, 1973.

## MOTION

On motion of Senator Woodall, Senate Bill No. 2846, House Bill No. 590 and House Bill No. 51 were ordered to hold their places on the second reading calendar for Monday, April 9, 1973.

## SECOND READING

HOUSE BILL NO. 628, by Representatives Smith, Nelson, Randall, Beck, Flanagan and Hansen:

Exempting from catch taxes food fish and shellfish taken from fish farms.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), House Bill No. 628 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Talley: "Will Senator Peterson yield to a question? Senator Peterson, I signed this bill out and I agreed to it, but I have had second thoughts. Don't you think they should pay these catch fees? A lot of this money goes into research and they benefit from that, too."

Senator Peterson (Lowell): "Senator Talley, I think it would be rather unfair to impose a catch fee in addition to the present license that we have already established. Now if we reach a point in time to where we determine that the fee for the license that we grant them for the performance of aquaculture and raising fish in their own ponds is not heavy enough, I would say yes, but under the present circumstances all we are doing is exempting them from present catch fees because actually they are not catching them. They are in rearing ponds, they are in holding ponds. I would agree that perhaps this should be maybe put into an interim study. Perhaps their license fees are not big enough, but I do not think they should be subject to an open catch fee."

Senator Talley: "Would you join then with me in sponsoring a resolution to study this matter?"

Senator Peterson (Lowell): "Senator Talley, I would be very happy to."

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 628, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senator Talley—1.

Excused: Senators Rasmussen, Whetzel—2.

HOUSE BILL NO. 628, having received the 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 Senator Mardesich, House Bill No. 356 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

## SECOND READING

SENATE BILL NO. 2352, by Senators Sandison and Wanamaker:

Prohibiting prosecuting attorneys in counties of fourth class and larger from engaging in the private practice of law.

The bill was read the second time by sections.

On motion of Senator Sandison, Senate Bill No. 2352 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Sandison yield? How many fourth class counties are there in the state?"

Senator Sandison: "There are four. There are six altogether. Two are already included. And the four that would be included are Island, Clallam, Mason and Okanogan, I believe."

Senator Atwood: "You are making them have full time prosecutors?"

Senator Sandison: "Not making them, permitting them."

Senator Atwood: "Permitting them to. And if they do, are they going to be able to practice law?"

Senator Sandison: "No, they cannot."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2352, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senators Atwood, Ridder—2.

Excused: Senators Rasmussen, Whetzel—2.

SENATE BILL NO. 2352, having received the 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. 2590, by Senators Walgren and Wanamaker (by Department of Highways request):

Revising provisions regarding urban arterial trust account funds.

The bill was read the second time by sections.

On motion of Senator Walgren, Senate Bill No. 2590 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2590, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

SENATE BILL NO. 2590, having received the 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. 2627, by Senator Day:

Providing that irrigation districts may purchase and dispose of electronic power under certain conditions.

The bill was read the second time by sections.

On motion of Senator Jolly, Senate Bill No. 2627 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2627, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

SENATE BILL NO. 2627, having received the 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. 2410, by Senators Bottiger, Henry and Sandison:

Allowing the operation of school buses and certain trucks under any road conditions.

#### REPORT OF STANDING COMMITTEE

March 27, 1973.

SENATE BILL NO. 2410, allowing the operation of school buses and certain trucks under any road conditions (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13, beginning with "*such local*" strike all the material down to and including "*reduced speeds;*" in line 16 and insert "*whenever a highway has been closed generally to vehicles or specified classes of vehicles, local authorities may by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under such weight and speed restrictions as the local authorities deem necessary to protect the highway from undue damage.*"

On page 2, section 1, line 6 beginning with "The highway commission" strike all the material down to and including "such resolution." in line 12 and insert "[The highway commission shall likewise have authority as hereinabove granted to local authorities to determine by resolution and to impose restrictions upon any basis as to the weight of vehicles or class of vehicles operated upon any primary state highway and such restrictions and limitations shall be effective when signs giving notice thereof are erected upon the primary state highway or at the limits of the portion thereof affected by such resolution.] *The highway commission shall have the same authority as hereinabove granted to local authorities to prohibit or restrict the operation of vehicles upon state highways, which rules shall be administered by the department of highways. The department of highways shall give public notice of closure or restriction. The highway commission may further authorize the department of highways to issue special permits for the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under specified weight and speed restrictions as may be necessary to protect any state highway from undue damage.*"

Signed by: Senators Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Guess, Jolly, Lewis (Bob), Mattingly, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington.

The bill was read the second time by sections.

Senator Walgren moved adoption of the committee amendment to page 1, section 1, line 13.

On motion of Senator Henry, the following amendment to the committee amendment was adopted:

On page 1, line 5 of the amendment to page 1, line 13, strike "*may*" and insert "*shall*".

The motion by Senator Walgren carried and the committee amendment to page 1, section 1, line 13, as amended, was adopted.

On motion of Senator Walgren, the committee amendment to page 2, section 1, line 6 was adopted.

On motion of Senator Bottiger, Engrossed Senate Bill No. 2410 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2410, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED SENATE BILL NO. 2410, having received the 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. 2805, by Senators Sandison and Atwood:

Authorizing bonds for capital improvements at institutions of higher education.

The bill was read the second time by sections.

On motion of Senator Atwood, Senate Bill No. 2805 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2805, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

SENATE BILL NO. 2805, having received the 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 Senator Mardesich, Senate Bill No. 2678 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

#### SECOND READING

SENATE BILL NO. 2787, by Senator Wanamaker:

Implementing the laws relating to the licensing of certain motor vehicles.

## MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 2787 was substituted for Senate Bill No. 2787, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, Substitute Senate Bill No. 2787 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Bailey: "Mr. President, a question of Senator Wanamaker. It says here that it amends the law which prohibits for hire vehicles and auto stages from transporting passengers unless their annual fees have been paid. Are we now saying that you do not have to pay your fee and keep on in business?"

Senator Wanamaker: "No, it does not. They still have to pay their fees the same as any other truck, but it makes it on a truck basis instead of on a stage basis."

Senator Bailey: "I have my doubts, but I will accept Senator Wanamaker's word."

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2787, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

SUBSTITUTE SENATE BILL NO. 2787, having received the 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 Senator Mardesich, Senate Bill No. 2825 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 129, by Senators Metcalf, Grant and Bailey:

Providing for a study of election procedures.

## REPORT OF STANDING COMMITTEE

April 5, 1973.

SENATE CONCURRENT RESOLUTION NO. 129, providing for a study of election procedures (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1, after "WHEREAS," strike all the material down to and including "by" on line 3 and insert "The number of potential voters has greatly expanded because of".

Signed by: Senators Grant, Chairman; Canfield, Mattingly, Metcalf, Stortini, Washington.

The resolution was read the second time in full.

On motion of Senator Grant, the committee amendment was adopted.

On motion of Senator Grant, Engrossed Senate Concurrent Resolution No. 129 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 129, and the resolution passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess; Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Absent or not voting: Senators Connor, Donohue, Peterson (Lowell)—3.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 129, having received the constitutional majority, was declared passed.

#### MOTIONS

On motion of Senator Fleming, Senate Bill No. 2841 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

On motion of Senator Mardesich, Engrossed House Bill No. 52 and Substitute House Bill No. 53 were ordered to hold their places on the second reading calendar for Monday, April 9, 1973.

#### SECOND READING

HOUSE BILL NO. 69, by Representatives Kopet, Curtis, Barden and Polk (by Legislative Budget Committee request):

Repealing authorization for land reclamation tax levy.

The bill was read the second time by sections.

On motion of Senator Atwood, House Bill No. 69 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 69, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

HOUSE BILL NO. 69, having received the 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. 36, by Representative Smythe:

Permitting disbursement of county funds under the control of the county auditor and treasurer.

The bill was read the second time by sections.

On motion of Senator Fleming, House Bill No. 36 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 36, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wana-maker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

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.

ENGROSSED HOUSE BILL NO. 105, by Representatives Kopet, Moon, Patterson, King, Maxie and Barden (by Legislative Budget Committee and Joint Committee on Higher Education request):

Authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

ENGROSSED HOUSE BILL NO. 105, authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 4, line 17 of the printed bill, being line 19 of the engrossed bill, after "(2)" and before "Washington" insert:

"As specifically provided for by appropriation and subject to the limitations of section 10 of this 1973 act,"

On page 6, line 3 of the printed bill, being line 5 of the engrossed bill, after "Sec. 10." strike all the material down to and including "act" on line 12 of the printed bill, being line 14 of the engrossed bill and insert:

"There is hereby appropriated to Washington State University from the general fund for the biennium ending June 30, 1975, four hundred fifteen thousand dollars or so much thereof as may be necessary, as the employer's share of the retirement plan contribution costs associated and incident to those members of the retirement plan electing to transfer to the Washington Public Employees' Retirement System as provided for in sections 1 through 9 of this 1973 act. Washington State University shall transfer this appropriation or so much thereof as may be necessary, to the Washington Public Employees' Retirement System on or before January 30, 1974. Should this appropriation be insufficient Washington State University shall request in its 1975-77 budget request an amount sufficient to fully reimburse the Washington Public Employees' Retirement System for any costs associated and incident to those members of the retirement plan electing to transfer to the Washington Public Employees' Retirement System as provided for in sections 1 through 9 of this 1973 act. The retirement plan for the purposes of this section shall be as defined in section 1, subsection (2) of this 1973 act".

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Grant, Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendments were adopted.



On motion of Senator Atwood, Engrossed House Bill No. 105, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 105, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wana-maker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED HOUSE BILL NO. 105, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 112, by Representatives Van Dyk, Berentson and Goltz:

Providing for certain changes in the assessment levied upon milk.

The bill was read the second time by sections.

On motion of Senator Jolly, Engrossed House Bill No. 112 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 112, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wana-maker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 124, by Representatives Adams, Ceccarelli, Swayze and Garrett (by Department of Motor Vehicles request):

Requiring applicant for real estate license to give certain information.

The bill was read the second time by sections.

On motion of Senator Greive, Engrossed House Bill No. 124 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 124, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr,

Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED HOUSE BILL NO. 124, having received the 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 Senator Fleming, House Bill No. 127 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 234, by Representatives Maxie, King and Rabel (by Joint Committee on Higher Education request):

Implementing law relating to higher education.

The bill was read the second time by sections.

On motion of Senator Sandison, Engrossed House Bill No. 234 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 234, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED 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.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 292, by Representatives Amen, Haussler, Zimmerman, Curtis, Flanagan, Hansey and Kilbury (by Executive request):

Providing for an advisory board of agriculture.

#### MOTION

Senator Mardesich moved that Engrossed House Bill No. 292 be referred to the Committee on Ways and Means.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Mardesich yield? Does this have a fiscal note prepared with it?"

Senator Mardesich: "That is why I was sending it up."

Senator Atwood: "Are you sure it does not have already?"

Senator Mardesich: "Not that I know of."

Senator Atwood: "It is carried in the Governor's budget, in the Ag, I am pretty sure."

Senator Odegaard: "But we do not have the fiscal note here. Now maybe there is one somewhere around but we do not have it available at the present time."

The motion by Senator Mardesich carried and Engrossed House Bill No. 292 was referred to the Committee on Ways and Means.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 306, by Committee on Ecology (originally sponsored by Representatives Thompson, Julin, Luders and Zimmerman (by Executive request):

Providing for environmental coordination procedures.

#### REPORT OF STANDING COMMITTEE

April 3, 1973.

SUBSTITUTE HOUSE BILL NO. 306, providing for environmental coordination procedures (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 8, section 8, line 18 after "the" and before "by" strike "formal filing" and insert "transmittal under section 6(6)".

On page 10, section 10, line 20, strike "decisions relating to" and insert "the action approving or denying".

On page 10, section 10, line 29, after "appealable" and before the colon insert "under this act".

On page 10, section 10, line 30 after "certification" and before "shall" insert "pursuant to subsection (1) of this section".

Signed by: Senators Washington, Chairman; Donohue, Murray, Stortini, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

#### MOTION

On motion of Senator Francis, Substitute House Bill No. 306, as amended by the Senate, was ordered held on the second reading calendar for Monday, April 9, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 324, by Representatives Kopet, Shinpoch, Morrison and Curtis:

Regulating recommendations for changes in state budget accounting methods.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

ENGROSSED HOUSE BILL NO. 324, regulating recommendations for changes in state budget accounting methods (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010 are each amended to read as follows:

It is the purpose of this chapter to establish an effective budget and accounting system for all activities of the state government; to prescribe the powers and duties of the governor as these relate to securing such fiscal controls as will promote effective budget administration; and to prescribe the responsibilities of agencies of the executive branch of the state government.

*It is the intent of the legislature that the powers conferred by this chapter, as amended, shall be exercised by the executive in cooperation with the legislature and its standing, special, and interim committees in its status as a separate and coequal branch of state government.*

Sec. 2. Section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.020 are each amended to read as follows:

(1) "Budget" shall mean a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures;

(2) "Budget document" shall mean a formal, written statement offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of program planning and fiscal management" shall mean the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of program planning and fiscal management shall be head of the office of program planning and fiscal management which shall be in the office of the governor.

(4) "Agency" shall mean and include every state office, officer, each institution, whether educational, correctional or other, and every department, division, board and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, shall mean all moneys, including cash, checks, bills, notes, drafts, stocks and bonds, whether held in trust or for operating purposes and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation.

(6) "Regulations" shall mean the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or his designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" shall mean the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated or set aside for a limited object or purpose; but "dedicated fund" shall not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

Sec. 3. Section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030 are each amended to read as follows:

(1) The budget document or documents shall consist of [the following parts:

Part I shall contain] the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature.

[Part I] The budget document or documents shall also contain:

[As to revenues:

(1) (a) [Anticipated] Revenues classified by fund and source [;

(2) Comparisons between revenues actually received during] *for* the immediately past fiscal period, those received or anticipated for the current *fiscal* period, and those anticipated for the ensuing [period] *biennium* (b) Cash surplus *or* deficit, by fund, to the extent provided by RCW 43.88.040 and 43.88.050;

(c) *Such additional information dealing with expenditures, revenues, work load, performance and personnel as the legislature may direct by law or concurrent resolution;*

[(4)] (d) *Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature [.] ;*

[As to expenditures:

(1) (e) *Tabulations showing expenditures classified by fund, function, activity and object [;*

(2) *Cash deficit, by fund, to the extent provided by RCW 43.88.050.*

(3) *Such additional information dealing with expenditures as the governor shall deem pertinent and useful to the legislature].*

[Part II shall embrace the] (2) *The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures [ Part II] and shall also include all proposed operating or capital expenditures. The total of anticipated revenues shall equal or exceed the total of proposed applicable expenditures [ : PROVIDED, That this requirement shall not prevent the liquidation of any deficit existing on the effective date of this chapter. This part]. The budget document or documents shall further include:*

[(1)] (a) *Interest, amortization and redemption charges on the state debt;*

[(2)] (b) *Payments of all reliefs, judgments and claims;*

[(3)] (c) *Other statutory expenditures;*

[(4)] (d) *Expenditures incident to the operation for each agency [in such form as the governor shall determine];*

[(5)] (e) *Revenues derived from agency operations;*

[(6)] (f) *Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current *biennium* and next ensuing [periods;] *biennium*.*

[(7) *Such other information as the governor shall deem useful to the legislature in gaining an understanding of revenues and expenditures.*

Part III shall consist of:] (3) *A separate budget document or schedule may be submitted consisting of:*

[(1)] (a) *Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;*

[(2)] (b) *A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;*

[(3)] (c) *Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;*

(d) *Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.*

(4) *No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document presented to a regular legislative session in an odd-numbered year relative to the format of the budget document which was presented to the previous regular session of the legislature in an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative budget committee if the legislature is not in session.*

Sec. 4. Section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060 are each amended to read as follows:

[Within five calendar days after the convening of the legislature] The governor shall submit the budget document [unless such time is extended by the legislature] *for the 1975-77 biennium and each succeeding biennium to the legislature no later than the twentieth day of December in the year preceeding the session during which the budget is to be considered.* The governor shall also submit a budget bill *or bills* which for purposes of this chapter is defined to mean the appropriations proposed by the governor as set forth in the budget document. Such representatives of agencies as have been designated by the governor for this purpose shall, when requested, by either house of the legislature, appear to be heard with respect to the budget document and the budget bill *or bills* and to supply such additional information as may be required.

Sec. 5. Section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080 are each amended to read as follows:

Adoption of the *omnibus* appropriation [, or budget,] bill *or bills* by the legislature shall constitute adoption of the budget and the making of appropriations therefor. [The] *A budget for state government* shall be finally adopted not later than thirty calendar days prior to the beginning of the [fiscal period] *ensuing biennium.*

Sec. 6. Section 43.88.090, chapter 8, Laws of 1965 and RCW 43.88.090 are each amended to read as follows:

For purposes of developing his budget proposals to the legislature, the governor shall have the power, and it shall be his duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as he shall direct. The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget. Estimates for the legislature and for the supreme court shall be included in the budget without revision. *Copies of all such estimates shall be transmitted to the legislative budget committee at the same time as they are filed with the governor and the office of program planning and fiscal management.* In the year of the gubernatorial election, the governor shall invite the governor-elect or his designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or his designee with such information as will enable him to gain an understanding of the state's budget requirements. The governor-elect or his designee may ask such questions during the hearings and require such information as he deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the legislative budget committee. The governor shall also invite the legislative budget committee to designate one or more persons to be present at all hearings provided in RCW 43.88.100. The designees of the legislative budget committee may also ask such questions during the hearings and require such information as they deem necessary.

Sec. 7. Section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120 are each amended to read as follows:

Before the beginning of any fiscal period, any agency engaged in the collection of revenues shall submit to the governor statements of revenue estimates *for the ensuing biennium* at such times and in such form as may be required by him. *A copy of such revenue estimates shall be filed with the legislative budget committee at the same time.*

Sec. 8. Section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180 are each amended to read as follows:

Appropriations shall not be required for refunds, as provided in RCW 43.88.170, nor in the case of payments *other than for administrative expenses or capital improvements* to be made from trust funds specifically created by law to discharge awards, claims, annuities and other liabilities of the state. [A trust fund is defined for purposes of this chapter as a fund consisting of resources received and held by an agency as trustee, to be expended or invested in accordance with the provisions of the trust.] Said *trust* funds shall include, but shall not be limited to, the accident fund, medical aid fund, retirement system fund, Washington state patrol retirement fund and unemployment trust fund. [Nor shall] *Appropriations may* be required in the case of public service enterprises defined for the purposes of this section as proprietary functions conducted by an agency of the state. [It shall not be necessary for] *An appropriation [to be made] may be required* to permit payment of obligations by

revolving funds, as provided in RCW 43.88.190.

**NEW SECTION.** Sec. 9. There is added to chapter 8, Laws of 1965 and to chapter 43.88 RCW a new section to read as follows:

Any changes in accounting methods and practices or in statutes affecting expenditures or revenues for the ensuing biennium relative to the then current fiscal period which the governor may wish to recommend shall be clearly and completely explained in the text of the budget document, in a special appendix thereto, or in an alternative budget document. This explanatory material shall include, but need not be limited to, estimates of revenues and expenditures based on the same accounting practices and methods and existing statutes relating to revenues and expenditure effective for the then current fiscal period, together with alternative estimates required by any changes in accounting methods and practices and by any statutory changes the governor may wish to recommend.

**NEW SECTION.** Sec. 10. There is added to chapter 8, Laws of 1965 and to chapter 43.88 RCW a new section to read as follows:

If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Beginning in line 1 of the title, strike all material after "system;" down to and including the period in line 7 and insert the following: "amending section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010; amending section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030; amending section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060; amending section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080; amending section 43.88.090, chapter 8, Laws of 1965 and RCW 43.88.090; amending section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120; amending section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180; and adding new sections to chapter 8, Laws of 1965 and to chapter 43.88 RCW."

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

The bill was read the second time by sections.

On motion of Senator Donohue, the committee amendment was adopted.

On motion of Senator Donohue, the committee amendment to the title was adopted.

On motion of Senator Donohue, Engrossed House Bill No. 324, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 324, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wana-maker, Washington, Woodall, Woody-47.

Excused: Senators Rasmussen, Whetzel-2.

ENGROSSED HOUSE BILL NO. 324, 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 Senator Mardesich, Engrossed House Bill No. 376 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

## SECOND READING

HOUSE BILL NO. 389, by Representatives Bluechel, Thompson, Hurley and Randall (by Commissioner of Public Lands and Department of Commerce and Economic Development request):

Providing for the exchange of lands having commercial recreational leasing potential.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), House Bill No. 389 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 389, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—47.

Excused: Senators Rasmussen, Whetzel—2.

HOUSE BILL NO. 389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 391, by Committee on Agriculture (originally sponsored by Representatives Amen, Kilbury, Thompson, Patterson, Haussler, Zimmerman, Van Dyk, Curtis, Tilly and Kalich):

Creating a state conservation commission and defining its functions.

The bill was read the second time by sections.

On motion of Senator Jolly, Substitute House Bill No. 391 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 391, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Voting nay: Senators Atwood, Metcalf—2.

Absent or not voting: Senator Henry—1.

Excused: Senators Rasmussen, Whetzel—2.

SUBSTITUTE HOUSE BILL NO. 391, having received the 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. 418, by Representatives Ceccarelli, Bagnariol and Gaspard (by Department of General Administration request):

Providing additional regulations for bank and trust company investments.



## REPORT OF STANDING COMMITTEE

March 21, 1973.

HOUSE BILL NO. 418, providing additional regulations for bank and trust company investments (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendment:

"NEW SECTION. Sec. 9. There is added to chapter 33, Laws of 1955 and to chapter 30.04 RCW a new section to read as follows:

Any bank or trust company which is a member of the Federal Reserve System, may invest an amount not exceeding 10 per centum of its paid in capital stock and surplus in the stock of one or more banks or corporations chartered under the laws of the United States, or of any state thereof, and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States, either directly or through the agency, ownership or control of local institutions in foreign countries, or in such dependencies or insular possessions.

NEW SECTION. Sec. 10. There is added to chapter 33, Laws of 1955 and to chapter 30.04 RCW a new section to read as follows:

Any bank or trust company which is a member of the Federal Reserve System, may acquire and hold, directly or indirectly, stock or other evidence of indebtedness of ownership in one or more banks organized under the law of a foreign country or a dependency or insular possession of the United States."

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Mardesich, Newschwander. The bill was read the second time by sections.

On motion of Senator Dore, the committee amendment was adopted.

## MOTIONS

On motion of Senator Dore, House Bill No. 418, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Ridder, House Bill No. 418, as amended by the Senate, was ordered placed on the third reading calendar for Monday, April 9, 1973.

## SECOND READING

ENGROSSED HOUSE BILL NO. 423, by Representatives Ceccarelli and Rabel (by Department of Commerce and Economic Development request):

Providing for alien banks in Washington.

The bill was read the second time by sections.

On motion of Senator Dore, Engrossed House Bill No. 423 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Francis: "Will Senator Dore yield to a question? Senator Dore, does this bill among other things put the foot in the door for our state's banks to get into Japan?"

Senator Dore: "Yes, this bill comes to us at the request of Seattle First National and National Bank of Commerce. I think they are the only two banks interested."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 423, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, New-

schwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Voting nay: Senator Fleming—1.

Absent or not voting: Senators Atwood, Connor—2.

Excused: Senators Rasmussen, Whetzel—2.

ENGROSSED HOUSE BILL NO. 423, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Lewis (Harry), Senator Peterson (Ted) was excused.

#### SECOND READING

HOUSE BILL NO. 438, by Representatives Ceccarelli, Gaspard and Bagnariol (by Department of General Administration request):

Permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions.

The bill was read the second time by sections.

On motion of Senator Dore, House Bill No. 438 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 438, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Peterson (Ted), Rasmussen, Whetzel—3.

HOUSE BILL NO. 438, having received the constitutional 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. 463, by Representatives Berentson, Van Dyk, Hansey and Charette:

Authorizing port district studies on industrial development.

The bill was read the second time by sections.

On motion of Senator Fleming, Engrossed House Bill No. 463 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 463, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison,

Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Excused: Senators Peterson (Ted), Rasmussen, Whetzel—3.

ENGROSSED 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.

HOUSE BILL NO. 481, by Representatives Beck, Smith and Randall:

Providing for the disposition of water district property to a public utility district.

The bill was read the second time by sections.

On motion of Senator Walgren, House Bill No. 481 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 481, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 3; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Connor, Jones, Murray—3.

Excused: Senators Peterson (Ted), Rasmussen, Whetzel—3.

HOUSE BILL NO. 481, having received the 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 Senator Atwood, House Bill No. 483 was ordered to hold its place on the second reading calendar for Monday, April 9, 1973.

#### SECOND READING

HOUSE BILL NO. 492, by Representatives Kuehnle, Chatalas, Ceccarelli and Garrett: Redefining "clock hours of instruction" for real estate brokers and salesmen licensing provisions.

The bill was read the second time by sections.

On motion of Senator Greive, House Bill No. 492 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 492, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senator Connor—1.

Excused: Senators Peterson (Ted), Rasmussen, Whetzel—3.

HOUSE BILL NO. 492, having received the 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

At 10:05 p.m., on motion of Senator Mardesich, the Senate adjourned until 11:00 a.m., Monday, April 9, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### THIRTY-SECOND DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, April 9, 1973.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bottiger, Greive, Herr, Newschwander, Rasmussen, Scott, Van Hollebeke and Whetzel. There being no objection, Senators Herr and Van Hollebeke were excused.

The Color Guard, consisting of Pages Karl Erickson and Sharon Roe, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered the following prayer:

"OUR HEAVENLY FATHER, WE GIVE YOU THANKS FOR GIVING US ANOTHER WEEK TO DO OUR WORK. WE ASK YOU TO BLESS US AND TO GIVE US THAT INSIGHT AND THAT GREATNESS OF SPIRIT BY WHICH WE CAN STAND UP TO LIFE'S BURDENS AND NEEDS. WE THANK YOU FOR THE GREATNESS AND THE WONDER OF JESUS. HOW GLORIOUS HE IS. HOW HE UNDERSTANDS US, HOW HE IDENTIFIES WITH US. NOTHING IN THIS LIFE IS SO COMPLICATED THAT WE CANNOT SOLVE IT IN HIS NAME. WE GIVE YOU THANKS THAT YOU HAVE CREATED US MEN WITH FREEDOM OF CHOICE. WE ARE FREE TO DO WHAT OUR CONSCIENCE DICTATES TO US. WITH ALL OUR HEARTS WE PRAY, GIVE US YOUR STRENGTH, YOUR WISDOM, YOUR POWER FOR THE WORK OF THIS DAY. GRANT THESE SENATORS THE AWARENESS OF DIVINE HELP AS THEY TOIL OVER THE ISSUES OF THIS SESSION. MAY THE PERSONAL TOUCH THAT JESUS GAVE TO THE GOSPEL BE A SOURCE OF REAL STRENGTH, WE PRAY IN HIS NAME. AMEN."

## MOTION

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEE

April 9, 1973.

SUBSTITUTE HOUSE BILL NO. 1049, requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

April 9, 1973.

ENGROSSED HOUSE BILL NO. 1061, amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

## MESSAGES FROM THE HOUSE

April 8, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 736, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 7, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 742, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 742, by Committee on Higher Education (originally sponsored by Representatives Valle, Charnley, Brown, Maxie, King, Blair, North (Lois) and Sommers):

Setting forth rights for part time faculty instructors of community colleges.

Referred to Committee on Higher Education.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2897, by Committee on Financial Institutions (originally sponsored by Senator Clarke):

Making certain changes in the laws relating to small loan companies.

## MOTION

On motion of Senator Clarke, Substitute Senate Bill No. 2897 was made a special order of business immediately following the noon recess today.

## MOTIONS

On motion of Senator Bailey, Senate Bill No. 2129 was ordered to hold its place on the third reading calendar for Tuesday, April 10, 1973.

On motion of Senator Lewis (Harry), the Senate commenced consideration of Senate Bill No. 2678.

## SECOND READING

SENATE BILL NO. 2678, by Senators Ridder, Fleming and Gardner:

Implementing laws relating to recall of elected public officials.

The bill was read the second time by sections.

On motion of Senator Francis, the following amendment was adopted:

On page 1, section 1, beginning on line 21, after "including the" strike "time, date, location and", and after "complained of" insert "and, to the extent known, the time, date, and location of each such act".

Senator Ridder moved adoption of the following amendment:

On page 1, section 2, line 26, after "Sec. 2." strike the remainder of the section and insert:

"Section 29.82.015, chapter 9, Laws of 1965 and RCW 29.82.015 are each amended to read as follows:

In case the officer whose recall is to be demanded be a state officer, the person making the charge shall file the same with the secretary of state. In case the officer whose recall is to be demanded be a county officer, the person or persons making the charge shall file the same with the county auditor. In case the officer whose recall is to be demanded be an officer of an incorporated city or town, the persons making the charge shall file the same with the clerk of said city or town. In case the officer whose recall is to be demanded is an officer of any other political subdivision of the state, the persons making the charge shall file the same with the officer whose duty it is to receive and file petitions for nomination of candidates for the office concerning the incumbent of which the recall is to be demanded. *The officer with whom the charge is filed shall serve a copy of such charge upon the officer whose recall is demanded not less than seven days prior to formulation of the ballot synopsis. Manner of service shall be the same as for commencement of a civil action in superior court.*"

## POINT OF INQUIRY

Senator Woodall: "Would the Senator yield? You have a seven-day deal here."

Senator Ridder: "Right."

Senator Woodall: "Do not you think that is a little bit short? Seven days to reply and answer?"

Senator Ridder: "No, this is seven days prior to the formulation of the ballot synopsis."

Senator Woodall: "That gives him seven days to get a different opinion now. Suppose he is out of town or on a vacation or something else? I think this recall thing should be based on fairness. Because some disgruntled people are angry at someone so a person is out of town, he is on a two-week vacation, you have a seven-day notice, I am just asking, isn't that a bit short, in fairness?"

Senator Ridder: "Now this came from a situation in which some people were charged and they felt that this seven days was sufficient. However, I am more than willing to go along with you if you would like to change this to fourteen days."

Senator Woodall: "I just happened to think, you know, before you recall a man from office, because you rule something one day, you are a county commissioner, you are a school board member, you are a city commissioner. So a group of people do not like how you voted or how you ruled and out comes this recall. And I think a seven-day deal is ridiculously short and I do not know what committee considered this or where you got the

information to come up with your proposed amendment, but seven days to find out what you are accused of has just got to be absolutely un-American and contrary to all of our concepts of fairness. A seven-day notice to come back and answer your charges is wrong."

## MOTION

At 11:20 a.m., on motion of Senator Bailey, the Senate recessed until 12:45 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 12:45 p.m.

## MOTION

At 12:45 p.m., on motion of Senator Mardesich, the Senate recessed until 1:45 p.m.

## SECOND AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

## SECOND READING

SENATE BILL NO. 2678, by Senators Ridder, Fleming and Gardner:

Implementing laws relating to recall of elected public officials.

The Senate resumed consideration of Senate Bill No. 2678, as amended by Senator Francis and an amendment by Senator Ridder having been moved for adoption prior to the noon recess.

On motion of Senator Ridder, the following amendment to the amendment by Senator Ridder was adopted:

On line 26 of the Ridder amendment to page 1, section 2, line 26, after "*less than*" strike "*seven*" and insert "*twenty*".

The motion by Senator Ridder carried and the amendment, as amended, was adopted.

On motion of Senator Ridder, the following amendment to the title was adopted:

On page 1, line 3 of the title, after "29.82.010;" strike the remainder of the title down to and including "29.82.020;" on line 5, and insert "amending section 29.82.015, chapter 9, Laws of 1965 and RCW 29.82.015;"

On motion of Senator Ridder, Engrossed Senate Bill No. 2678 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2678, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall—44.

Voting nay: Senator Washington—1.

Absent or not voting: Senators Peterson (Lowell), Scott, Woody—3.

Excused: Senator Herr—1.

ENGROSSED SENATE BILL NO. 2678, having received the 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 Senator Mardesich, Substitute Senate Bill No. 2897 was made a special order of business for 5:00 p.m. today.

At 1:55 p.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 4:30 p.m.

There being no objection, Senator Talley was excused.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGES FROM THE HOUSE

April 9, 1973.

Mr. President: The Speaker has signed SENATE BILL NO. 2278, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 8, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 736, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 9, 1973.

Mr. President: The House has receded from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, and has passed the bill without the House amendments., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
HOUSE BILL NO. 736.

## SECOND READING

SENATE BILL NO. 2846, by Senators Dore and Van Hollebeke:

Prohibiting members of the horse racing commission and their spouses from racing their own horses on Washington tracks.

The bill was read the second time by sections.

On motion of Senator Mardesich, Senate Bill No. 2846 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2846, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Donohue, Durkan, Greive—3.

Excused: Senator Talley—1.

SENATE BILL NO. 2846, having received the 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. 51, by Representatives Newhouse, Moon and North (Lois) (by Legislative Council request):

Allowing two additional races at horse racing meets.

The bill was read the second time by sections.

On motion of Senator Mardesich, House Bill No. 51 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 51, and the bill passed the Senate by the following vote: Yeas, 38; nays, 6; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—38.

Voting nay: Senators Guess, Henry, Mattingly, Metcalf, Rasmussen, Sellar—6.

Absent or not voting: Senators Bailey, Donohue, Durkan, Greive—4.

Excused: Senator Talley—1.

HOUSE BILL NO. 51, having received the 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. 356, by Representatives Conner, Bauer, Zimmerman, Schumaker and Beck:

Changing certain legal holidays.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Rasmussen yield? Did I hear you say 'an agreement' in your statement?"

Senator Rasmussen: "Yes."

Senator Fleming: "An agreement between what parties?"

Senator Rasmussen: "In all working agreements it spells out . . . ."

Senator Fleming: "Oh, you mean between the state employees and the state itself?"

Senator Rasmussen: "Yes."

Senator Fleming: "I thought you were talking about some outside organization such as the Veterans and so forth."

Senator Rasmussen: "They usually have it spelled out on their agreement it will be Memorial Day and Labor Day and Fourth of July and so forth, but they may by agreement, which they frequently do, take other days so that they can get a three-day holiday."

On motion of Senator Rasmussen, House Bill No. 356 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

Senator Marsh moved that House Bill No. 356 be referred to the Committee on Constitution and Elections.

Debate ensued.

Senator Knoblauch demanded a roll call and the demand was sustained by Senators Sandison, Dore, Ridder, Francis, Guess, Henry, Rasmussen, Stortini and Woodall.

## ROLL CALL

The Secretary called the roll and the motion by Senator Marsh failed by the following vote: Yeas, 18; nays, 27; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bottiger, Clarke, Fleming, Gardner, Grant, Jones, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Murray, Newschwander, Odegaard, Scott, Sellar, Washington, Whetzel—18.

Voting nay: Senators Canfield, Connor, Day, Donohue, Dore, Francis, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Matson, Mattingly, Metcalf, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall—27.

Absent or not voting: Senators Bailey, Durkan, Woody—3.

Excused: Senator Talley—1.

## MOTION

On motion of Senator Marsh, House Bill No. 356 was ordered placed at the end of today's third reading calendar.

## MOTION

On motion of Senator Mardesich, Substitute Senate Bill No. 2897 was made a special order of business for 8:00 p.m. this evening.

## SECOND READING

SENATE BILL NO. 2825, by Senators Donohue and Jolly:

Providing for emergency alteration of streams by riparian owners.

The bill was read the second time by sections.

Senator Donohue moved adoption of the following amendment by Senators Donohue and Talley:

On page 2, section 1, line 23, strike all the matter on lines 23, 24 and down to the period on line 25 and insert "*secure an emergency permit designating the work to be done from the county engineer who shall report such activity to the director of the department of fisheries and the director of the department of game within twenty-four hours after issuance of the emergency permit*".

## POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Donohue yield? Senator Donohue, my question is, I am not sure that you realize what you are doing to the department of hydraulics when you make such a change. As far as I have been able to judge, I have not found where at any time anyone has not received immediate oral permission to do these things. It seems like maybe you have a problem down there with a few people who have had problems with the Game Department or—not Game Department, with the people who have maybe infringed but you are really breaking down something here. You say that, in your verbal analysis, it will avoid the breakdown of the stream banks and things but you know with this you can go right into the middle of the stream and you can do things to a stream with spawning salmon coming up and bothering the spawn, the gravel and all that that goes with it. I do not know whether you realize that the department of hydraulics should be considered in something like this. I wish you would give me an answer on that."

Senator Donohue: "I understand what you are saying, Senator, and the point that I think that we have to realize is that sometimes in the flooding conditions when high, very high water is eroding away a stream bank that could be stopped in five minutes by placing a log or by moving some gravel or some heavy rock in the area, putting some riprap in, it probably is more damaging than what you are referring to. Now the reason, and this was the question that Senator Talley had and Senator Sandison, this is why we worked this out

together, because we did not want a riparian owner to have the capability of just going into the stream at will and tearing it up and doing what you are saying. So this permit, under this amendment, would be issued only in an emergency by the county engineer and that work would be so designated as to exactly what he could do. It is not the intention of anyone, I am sure that you realize, to disrupt the spawning areas, but it is also very important and probably extremely important, as important I should say, that a property owner in case of emergency should be able to get in there and protect the property that he is paying taxes on. And this is what I am really talking about."

On motion of Senator Whetzel, the following amendment to the amendment by Senators Donohue and Talley was adopted:

Amend the Donohue-Talley amendment to page 2, line 23 as follows:

On line 5 of the amendment, after "fisheries" insert "*the director of the department of ecology*".

#### POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Donohue further yield? Senator Donohue, what I do not like about this is that it takes the Department of Game, which really means to do the right thing and in most cases where I have called they say there is no question. They give them the oral permission. Have you ever had a case in your particular case where you might have called them where you did not get speedy recovery on anything that you wanted? I think this should be clarified because the Department is trying to do the right thing and it sounds like here that they are being called in and suggested that they are not cooperating and I am sure we do not want that to be the case."

Senator Donohue: "Senator, it has been my experience in Walla Walla and Columbia County and in Garfield County, which I am more acquainted with, and I think Senator Odegaard just mentioned that he has had the same problem, where the delay is so long in coming and it is usually in writing that they are just not doing what the law provides for them to do now. In the meantime, Senator, to protect the property many farmers go out and do the job anyway, which is illegal. This would give them an area where they could go and secure an emergency permit and be legal, because most farmers, most riparian owners, if at all possible, regardless of whether they get a permit or not, are going to try to protect their property. But I am interested in the spawn and I am interested in game and fisheries and the problems and I want to provide a way that will hopefully solve both problems where a permit shall be issued and where the Department of Fisheries and Game and Ecology now would be notified of this, and I see no problem. I think it is much better than we have now."

The motion by Senator Donohue carried and the amendment, as amended, was adopted.

On motion of Senator Donohue, Engrossed Senate Bill No. 2825 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2825. and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-44.

Voting nay: Senators Metcalf, Peterson (Ted)-2.

Absent or not voting: Senators Connor, Durkan-2.

Excused: Senator Talley-1.

ENGROSSED SENATE BILL NO. 2825, having received the 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 Senator Lewis (Harry), House Bill No. 590 was ordered to hold its place on the second reading calendar for Tuesday, April 10, 1973.

At 5:30 p.m., on motion of Senator Mardesich, the Senate recessed until 7:30 p.m.

#### EVENING SESSION

President Pro Tempore Henry called the Senate to order at 7:30 p.m.

There being no objection, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

April 9, 1973.

SUBSTITUTE HOUSE BILL NO. 903, relating to elections (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Mattingly, Metcalf, Washington.

Passed to Committee on Rules for second reading.

April 9, 1973.

SUBSTITUTE HOUSE BILL NO. 944, permitting nursing homes to offer out-patient services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Jones, Keefe, Murray, Twigg.

Passed to Committee on Rules for second reading.

April 9, 1973.

HOUSE BILL NO. 946, permitting the department of social and health services to adjust vendor's rates (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Herr, Jones, Keefe, Twigg, Woodall, Woody.

Passed to Committee on Rules for second reading.

Senators Mardesich, Bottiger and Sandison demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber. The Secretary called the roll on the Call of the Senate, all members being present except Senator Talley who had previously been excused.

On motion of Senator Mardesich, the Senate proceeded under the Call of the Senate.

#### SPECIAL ORDER OF BUSINESS

SUBSTITUTE SENATE BILL NO. 2897, by Committee on Financial Institutions (originally sponsored by Senator Clarke):

Making certain changes in the laws relating to small loan companies.

The time having arrived, the Senate commenced consideration of Substitute Senate Bill No. 2897.

Senator Greive moved adoption of the following amendment by Senators Greive, Francis and Dore:

On page 1, section 1, line 27 after "[one]" and before "thousand" strike "five" and insert "two".

#### POINT OF INQUIRY

Senator Fleming: "Would Senator Greive yield to a question? Senator Greive, I was listening to your arguments on behalf of the amendment and several aspects of that amendment, and what I would like to know is that you indicated that the average loan at the small loan companies is six hundred and thirty-seven dollars. Right?"

Senator Greive: "Something about that."

Senator Fleming: "Something of that nature. Okay. And under the proposed amended bill, up to about seven hundred dollars, the person would pay less interest. Now what I want to know is, I agree with some of the aspects of your amendment and maybe it would be a little too harsh or unsellable to the small loan companies, why did not you do your amendment as it is and leave the thirty percent rather than the thirty-six because under the proposed amendment it was making it cheaper for the persons who are looking and need credit to get a loan that could not get them other places?"

Senator Greive: "The answer to that was that I received a letter yesterday, we all did, April 8, from Bob Seeber, Seeber and Shannon, in which he talks about the very small return which the small loan companies were making on their investments. Now in the first place, I have some question about that. For instance, our figures and the figures I have, and I have the commissioner's financial reports here with me, the annual report, indicate that before interest charges they earned in 1969 twenty-five point two percent, in 1970 twenty-three point four percent, in 1971 twenty-two point five percent and in 1972 twenty-three point six percent, but I do admit that their charges were as he had set them out; four point eight in 1967, in 1968 four point nine percent, in 1969 five point two percent, in 1970 five point one percent, in 1971 five point three percent, but then I flipped over and compared that with what the banks made in the same period and during the same period, 1967, when they were making four point eight the banks made one point one; in 1968 the banks made one point three as opposed to four point nine. In 1969 the banks made one point four as opposed to five point two. In 1970 the banks made one point three as opposed to five point one. In 1971 the banks made less than one percent, eight-tenths of one percent as opposed to five point three. I then attempted to go a little further and to my amazement these loan companies, virtually all of which are national companies, have about eleven percent that is transmitted, before they do anything, to the home office which is figured in here. I was unable to figure accurately whether or not when they showed this return on investment whether they included the borrowed money, and I thought that they did. So after looking at the whole dilemma I thought that if I was going to propose an amendment, I changed it actually because the original amendment did not, I changed it because I thought I had better be sure that nobody could get on this floor and say that they are going to lose money. And so I just left it that way so I knew it would be better than what they had, so to waylay the argument that somehow we were forcing them out of business."

Senator Fleming: "Senator Greive, continuing, in view of those percentages you read out and the possibility of what we are trying to do here, it would seem to me that they probably would not be losing money, and secondly, recognizing that many of the people that you say that you are interested in would probably not get up to the four and five thousand dollars anyway and as the average would be somewhere between five and eight hundred dollars, seemingly though you would have tried to in some manner make it easier in those first areas for these people to borrow."

Senator Greive: "In answer to that, Senator, if you will offer an amendment to strike the thirty percent, I will support it. I was merely trying to get away from the idea that I was trying to break the loan companies. It was in the interest of fairness, not in any interest of what anybody wanted. If you want to make it thirty percent for the first three hundred dollars, that is perfectly all right with me except that I just was not able, as best I could in

analyzing the financial reports to the supervisor of banking, to be sure because I did not quite know what they included in their capital investment. To be sure that I was not doing something disastrous to them and I did not want to waylay the argument, but put the amendment up and I will support it."

Debate ensued.

Senators Peterson (Lowell), Clarke and Atwood demanded the previous question and the demand was sustained.

Senator Guess demanded a roll call and the demand was sustained by Senators Bailey, Canfield, Clarke, Connor, Walgren, Jolly, Scott, Woodall and Dore.

President Pro Tempore Henry declared the question before the Senate to be adoption of the amendment by Senators Greive, Francis and Dore.

#### ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 17; nays, 31; excused, 1.

Voting yea: Senators Connor, Day, Dore, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Odegaard, Rasmussen, Ridder, Scott, Stortini, Van Hollebeke, Washington—17.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Durkan, Fleming, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Sellar, Twigg, Walgren, Wanamaker, Whetzel, Woodall, Woody—31.

Excused: Senator Talley—1.

Senator Greive moved adoption of the following amendment by Senators Dore, Greive and Francis:

On page 6, section 7, line 1 after "[one]" and before "thousand" strike "*five*" and insert "*two*".

Debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Metcalf, Washington, Connor, Greive, Stortini, Bottiger, Francis, Ridder and Van Hollebeke.

#### ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 15; nays, 33; excused, 1.

Voting yea: Senators Bottiger, Connor, Dore, Francis, Gardner, Greive, Herr, Knoblauch, Odegaard, Rasmussen, Ridder, Scott, Stortini, Van Hollebeke, Washington—15.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Grant, Guess, Henry, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Sellar, Twigg, Walgren, Wanamaker, Whetzel, Woodall, Woody—33.

Excused: Senator Talley—1.

Senator Francis moved adoption of the following amendment by Senators Francis, Greive and Dore:

On page 7, section 8, beginning at line 2, strike all of the material down to and including "*principal*," on line 18 and insert the following:

"(1) Every licensee hereunder may lend any sum of money not to exceed [one] *two* thousand dollars in amount and may charge, contract for, and receive thereon charges at a rate not exceeding three percent per month on that part of the unpaid principal balance of any loan not in excess of three hundred dollars, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of three hundred dollars and not in excess of five hundred dollars, and one percent per month on any remainder of such unpaid principal balance: PROVIDED, HOWEVER, That in lieu of said charges a licensee may charge one dollar per month, or fraction thereof, when said charges computed at the said rate amount to less than one dollar: AND PROVIDED FURTHER, That such charge of one dollar shall not be collected on more than one loan nor more than once from any one borrower during any period of one month."

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Greive, Dore, Ridder, Connor, Van Hollebeke, Knoblauch, Washington, Herr and Francis.

#### ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 16; nays, 32; excused, 1.

Voting yea: Senators Bottiger, Connor, Dore, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Odegaard, Rasmussen, Ridder, Scott, Stortini, Van Hollebeke—16.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Sellar, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—32.

Excused: Senator Talley—1.

Senator Francis moved adoption of the following amendment by Senators Francis, Greive and Dore:

On page 11, section 9, line 6 after “[twenty-five]” and before “and” strike “sixty” and insert “thirty-six”.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: “Would Senator Greive yield please? As I understand it, you are reducing the term from five years which would be sixty months down to three years. Is that what this amendment does?”

Senator Greive: “Actually, this particular amendment would require another amendment which is still on the desk but that is what it eventually would do, yes.”

Senator Woodall: “I mean, that is what you are getting at? You are reducing the term, is that what you are doing? That is your plan? Just so everyone knows what we are voting on is all I want to know. Thank you for that answer, Senator, you made it very clear.”

Senator Greive: “Precisely as clear as I wanted to make it.”

The motion by Senator Greive lost and the amendment was not adopted.

There being no objection, the remaining amendments on the Secretary’s desk by Senators Greive, Francis and Dore were withdrawn.

Senator Bottiger moved adoption of the following amendment:

On page 12, following section 12, add a new section to read as follows:

“*NEW SECTION.* Sec. 13. There is added to chapter 31.08 RCW a new section to read as follows:

Before making a loan to any person, a licensee under this chapter shall make an investigation to determine if such person has given a security interest, perfected under Article 9 of Title 62A RCW, to another licensee under this chapter for a prior loan. No licensee shall make a loan to any person who is already indebted to another licensee under this chapter unless such prior loan is completely discharged by the payment of a portion of the proceeds of the current loan.

Any violation of this section shall operate to totally discharge any obligation to pay either the principal or the interest on such current loan.”

Debate ensued.

On motion of Senator Grant, the following amendment to the amendment by Senator Bottiger was adopted:

On line 9 of the Bottiger amendment, after “shall” insert “knowingly”.

Further debate ensued.

#### POINT OF INQUIRY

Senator Atwood: “Would Senator Bottiger yield? I take it that you have not changed

the second paragraph of your amendment? The entire obligation is discharged and no longer due and payable?"

Senator Bottiger: "That is right, Senator Atwood. If you do not check to see if there is not an outstanding security or if you knowingly lend to somebody that is already indebted, the penalty is you cannot collect your principal or interest."

Senator Woodall moved that the amendment by Senator Bottiger, as amended by Senator Grant, be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Ridder, Woody, Stortini, Connor, Grant, Rasmussen, Bailey, Washington and Bottiger.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Woodall to lay the amendment by Senator Bottiger, as amended by Senator Grant, upon the table failed by the following vote: Yeas, 20; nays, 28; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Durkan, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Newschwander, Peterson (Lowell), Peterson (Ted), Sellar, Twigg, Wanamaker, Woodall—20.

Voting nay: Senators Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Whetzel, Woody—28.

Excused: Senator Talley—1.

Senators Dore, Greive and Ridder demanded the previous question and the demand was sustained.

Senator Dore demanded a roll call and the demand was sustained by Senators Washington, Connor, Dore, Ridder, Stortini, Van Hollebeke, Rasmussen, Grant and Bottiger.

President Pro Tempore Henry declared the question before the Senate to be the amendment by Senator Bottiger, as amended by Senator Grant.

#### ROLL CALL

The Secretary called the roll and the amendment, as amended, was not adopted by the following vote: Yeas, 23; nays, 25; excused, 1.

Voting yea: Senators Bottiger, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Marsh, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Scott, Stortini, Van Hollebeke, Washington, Woody—23.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Durkan, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Mattingly, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Sellar, Twigg, Walgren, Wanamaker, Whetzel, Woodall—25.

Excused: Senator Talley—1.

Senator Day moved adoption of the following amendment:

On page 12, following section 12, add a new section to read as follows:

"*NEW SECTION.* Sec. 13. There is added to chapter 31.08 RCW a new section to read as follows:

Notwithstanding any other provision of this chapter, a licensee may lend a sum of money in excess of two thousand dollars, except that the licensee then may charge, contract for, and receive thereon charges at a single rate not exceeding one percent per month on the total of the unpaid principal balance of the loan."

#### POINT OF ORDER

Senator Woodall: "My point of order is I believe this duplicates an amendment of Senator Greive's which we previously voted down. I believe it duplicates that amendment."



## REMARKS BY SENATOR GREIVE

Senator Greive: "I would like to explain why it did not duplicate it. That is why I could not answer your question, Senator. You said is this for three or five years. I knew this amendment was going to come. I knew there was an amendment on the floor at that time to limit it to three years. This does not have any three-year limitation and I felt at that time although I knew the answer, it was unwise to say it. The other amendment dealt with three years. This deals with five years. It does not duplicate what was done before."

## REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "And the amendment had been withdrawn, was not acted upon."

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Day, Stortini, Washington, Bottiger, Francis, Ridder, Grant, Bailey and Dore.

## ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Bottiger, Connor, Day, Dore, Fleming, Francis, Grant, Greive, Herr, Jolly, Knoblauch, Odogaard, Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Washington—19.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Durkan, Gardner, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sellar, Twigg, Walgren, Wanamaker, Whetzel, Woodall, Woody—29.

Excused: Senator Talley—1.

Senator Woody moved adoption of the following amendment:

On page 12, following Sec. 12 insert a new section to read as follows:

"*NEW SECTION.* Sec. 13. When making a loan the lender shall bear full and sole responsibility relative to the ascertainment of the accuracy of the financial statement furnished by the borrower. If, subsequent to the making of the loan, the borrower shall receive a discharge in bankruptcy the lender subsequent to such discharge in bankruptcy shall be prohibited from instituting an action in any of the courts of this state on the grounds that at the time of obtaining the loan the borrower had misrepresented or misstated his financial condition."

Debate ensued.

## POINT OF INQUIRY

Senator Bottiger: "Would Senator Woodall yield to a question? Senator Woodall, do you really want the Senate to believe that the small loan companies do not check those financial statements out through their credit bureau and all the other sources?"

Senator Woodall: "I do not know the details of a small loan organization. I have never represented one or been a part of one. I am only saying that there are instances where you take people at their word. I know in a bank you do. You do not double check everything they put down on a list, and again you have not answered the question. This amendment would reward a man who lied. And no man should profit for having lied to another."

Senator Greive demanded a roll call. The demand was not sustained.

The motion by Senator Woody failed and the amendment was not adopted.

On motion of Senator Clarke, Substitute Senate Bill No. 2897 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2897, and the bill passed the Senate by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Durkan, Fleming, Guess, Henry, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Sellar, Twigg, Walgren, Wanamaker, Whetzel, Woodall, Woody—28.

Voting nay: Senators Bottiger, Connor, Day, Dore, Francis, Gardner, Grant, Greive, Herr, Jolly, Knoblauch, Murray, Odegaard, Rasmussen, Ridder, Sandison, Scott, Stortini, Van Hollebeke, Washington—20.

Excused: Senator Talley—1.

SUBSTITUTE SENATE BILL NO. 2897, having received the 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 Senator Woodall, Substitute Senate Bill No. 2897 was ordered immediately transmitted to the House.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having served prior notice, Senator Francis moved that the Senate do now reconsider the vote by which Substitute House Bill No. 392 failed to pass the Senate.

The motion carried.

## MOTIONS

On motion of Senator Francis, Substitute House Bill No. 392 was returned to second reading.

On motion of Senator Francis, the following amendments were adopted:

On page 3, section 3, line 11, after "party" and before "is" insert "who".

On page 4, section 4, line 22, after "marriage" strike "registered in this state".

On page 5, section 4, line 5, after "have been" strike "certified or registered" and insert "contracted".

On page 5, section 4, line 17, after "it was" strike "registered" and insert "purportedly contracted".

On page 5, section 4, line 18, after "have been" strike "certified or registered" and insert "contracted".

On page 5, section 4, line 23, after "it was" strike "certified or registered" and insert "purportedly contracted".

On page 14, section 19, line 12, after "not" and before "affect" strike "adversely".

## MOTION

Senator Woodall moved that the Senate dispense with the Call of the Senate.

The motion by Senator Woodall failed.

On motion of Senator Francis, Substitute House Bill No. 392, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Matson, Atwood and Woody demanded the previous question and the demand was sustained.

President Pro Tempore Henry declared the question before the Senate to be the final passage of Substitute House Bill No. 392, as amended by the Senate, on reconsideration.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 392, as amended by the Senate, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Francis, Gardner, Guess, Henry, Jolly, Jones, Lewis (Harry), Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Walgren, Wanamaker, Whetzel, Woody—29.

Voting nay: Senators Connor, Dore, Durkan, Grant, Greive, Herr, Keefe, Knoblauch, Lewis (Bob), Mardesich, Newschwander, Peterson (Ted), Rasmussen, Sellar, Stortini, Twigg, Van Hollebeke, Washington, Woodall—19.

Excused: Senator Talley—1.

SUBSTITUTE HOUSE BILL NO. 392, as amended by the Senate, on reconsideration, having received the 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 Senator Atwood, Substitute House Bill No. 392, as amended by the Senate, was ordered immediately transmitted to the House.

On motion of Senator Mardesich, the Senate dispensed with the Call of the Senate. There being no objection, the Senate returned to the fourth order of business.

## MESSAGES FROM THE HOUSE

April 9, 1973.

Mr. President: The House has passed:

HOUSE BILL NO. 227,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264,

SUBSTITUTE HOUSE BILL NO. 340,

ENGROSSED HOUSE BILL NO. 933, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 9, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 9, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 530,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 227, by Representatives Warnke, Lysen and Ellis:

Requiring public employers to allow some employees reasonable time off without loss of compensation to engage in bargaining.

Referred to Committee on Labor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, by Judiciary Committee (originally sponsored by Representatives Smythe, May, Kuehnle and Luders):

Implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 340, by Committee on Social and Health Services (originally sponsored by Representatives Morrison, Johnson, Smythe and Maxie) (by Department of Social and Health Services request):

Implementing laws relating to tuberculosis hospitalization and control.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, by Committee on State Government (originally sponsored by Representatives Bausch, Hendricks, Thompson, Adams, Bagnariol, Bauer, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Parker, Paris, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn, and Williams) (by Public Employees' Retirement Board request):

Revising the laws relating to the state employees' retirement system.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 530, by Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer:

Changing the law regulating commission merchants.

Referred to Committee on Agriculture.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, by Committee on Ecology (originally sponsored by Representative Luders):

Making certain changes in the state air pollution control laws.

Referred to Committee on Ecology.

ENGROSSED HOUSE BILL NO. 933, by Representatives Hansey, Goltz and Matthews:

Permitting Canadian doctors to practice medicine in certain specified Washington areas during an emergency situation.

Referred to Committee on Social and Health Services.

#### MOTION

At 10:05 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Tuesday, April 10, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**THIRTY-THIRD DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Tuesday, April 10, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan, Henry, Matson and Woody.

The Color Guard, consisting of Pages Bob Latschaw and Peggy Baker, presented the Colors. Reverend Bart Huizenga, pastor of Evergreen Christian Reformed Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, PSALM 22 TELLS US THAT DAVID, AN ANCIENT KING OF ISRAEL, SAID, 'ALL THE ENDS OF THE EARTH SHALL REMEMBER AND TURN TO THE LORD, AND ALL THE FAMILIES OF THE NATIONS SHALL WORSHIP BEFORE HIM. FOR DOMINATION BELONGS TO THE LORD, AND HE RULES OVER THE NATIONS'. DEAR GOD, AS STATE SENATORS AND OTHERS INVOLVED IN THE RESPONSIBILITY OF GOVERNMENT TODAY, GIVE US GRACE TO EMBRACE THOSE SAME ETERNAL PRINCIPLES ARTICULATED BY KING DAVID IN ISRAEL MILLENNIUMS AGO. IN JESUS' NAME. AMEN."

**MOTION**

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

**REPORTS OF STANDING COMMITTEES**

April 9, 1973.

SENATE BILL NO. 2091, creating a sports stadium management commission (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry).

Passed to Committee on Rules for second reading.

April 7, 1973.

SENATE BILL NO. 2385, implementing law relating to the state teachers' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 9, 1973.

SENATE BILL NO. 2586, allowing policemen and firemen retired under previous retirement systems to elect to receive a pension equal to that available under LEFF (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2586 be substituted therefor and the substitute bill do pass.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Dore, Fleming, Grant, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 9, 1973.

HOUSE BILL NO. 369, changing pension benefits of volunteer firemen (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Dore, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE GOVERNOR

April 9, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 9, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2268: Enacting the land sales disclosure act.

SENATE BILL NO. 2525: Providing procedures for the solicitation of funds for or in the name of charity.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

#### MESSAGE FROM THE HOUSE

April 9, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 36,

HOUSE BILL NO. 69,

HOUSE BILL NO. 112,

HOUSE BILL NO. 124,

HOUSE BILL NO. 234,

HOUSE BILL NO. 389,

SUBSTITUTE HOUSE BILL NO. 391,

HOUSE BILL NO. 423,

HOUSE BILL NO. 438,  
 HOUSE BILL NO. 463,  
 HOUSE BILL NO. 481,  
 HOUSE BILL NO. 492,  
 HOUSE BILL NO. 628, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 9, 1973.

Mr. President: The House has passed:  
 ENGROSSED SENATE BILL NO. 2153,  
 ENGROSSED SENATE BILL NO. 2326, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 9, 1973.

Mr. President: The House has FAILED to pass ENGROSSED SENATE JOINT RESOLUTION NO. 109, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2927, by Senator Dore:  
 An Act relating to commercial banks and trust companies.  
 Referred to Committee on Financial Institutions.

SENATE BILL NO. 2928, by Senator Dore:  
 An Act relating to mutual savings banks.  
 Referred to Committee on Financial Institutions.

#### SIGNED BY THE PRESIDENT

The President signed:  
 SENATE BILL NO. 2153,  
 SENATE BILL NO. 2326,  
 SUBSTITUTE SENATE BILL NO. 2365.

#### SECOND READING

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:  
 Providing for representation of breeders of quarterhorses on the racing commission.

The Senate resumed consideration of House Bill No. 590 on second reading.

On March 1, 1973, on motion of Senator Bailey, House Bill No. 590, as amended by the Senate, was re-referred to the Committee on Rules.

There being no objection, the amendment on the Secretary's desk by Senators Jolly and Day was withdrawn.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 2, after the period on line 8 add new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 67.16 RCW a new section to read as follows:

Horses owned wholly or partly by members of the Washington Horse Racing Commission, their spouses, or corporations in which the member or spouse has an interest, may not be entered in any race licensed by the Commission under chapter 67.16 RCW.

NEW SECTION. Sec. 3. There is added to chapter 67.16 a new section to read as follows:

No member of the Horse Racing Commission nor any member of their immediate families shall be employed by or accept any compensation, direct or indirect, from any association, corporation or other employer, including breeding associations and conces-

sionaires at racing meets, or any other group or association having a direct financial interest in any racing meet in the State of Washington.

**NEW SECTION.** Sec. 4. There is added to chapter 67.16 RCW a new section to read as follows:

No employee of the Horse Racing Commission shall serve as an employee of any track at which that individual will also serve as an employee of the Commission.

**NEW SECTION.** Sec. 5. There is added to chapter 67.16 a new section to read as follows:

No employee nor any commissioner of the Horse Racing Commission shall have any financial interest whatsoever, other than an ownership interest in a community venture, in any track at which said employee serves as an agent or employee of the Commission or at any track with respect to a commissioner.

**NEW SECTION.** Sec. 6. No later than 90 days after the effective date of this act the Horse Racing Commission shall promulgate, pursuant to chapter 34.04 RCW, reasonable rules and regulations implementing to the extent applicable to the circumstances of the Horse Racing Commission the conflict of interest laws of the State of Washington as set forth in chapters 42.18, 42.21 and 42.22 RCW.

**NEW SECTION.** Sec. 7. Section 9, chapter 55, Laws of 1963 as last amended by section 7, chapter 148, Laws of 1965 and RCW 67.16.100 are each amended to read as follows:

[All sums paid to the commission, together with all sums collected for license fees under the provisions of this chapter, shall be disposed of by the commission as follows: Twenty percent thereof shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. Of the remaining eighty percent, forty-seven percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex-officio treasurer of a fund to be known as the "state trade fair fund" which shall be maintained as a separate and independent fund, and made available to the director of commerce and economic development for the sole purpose of assisting state trade fairs. The remaining thirty percent shall be paid to the state treasurer, who is hereby made ex-officio treasurer of a fund to be known as the "fair fund," which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15 RCW. Any moneys collected or paid to the commission under the terms of this chapter and not expended at the time of making its report to the legislature, shall be paid to the state treasurer and be placed in the general fund.]

*There shall be a fund, known as the "Horse Racing Commission Revolving Fund", which shall consist of all fees, penalties, forfeitures, and all other monies, income, or revenue received by the commission except those held pursuant to RCW 67.16.102. The state treasurer shall be custodian of the fund. All monies received by the commission or any employee thereof, except for change funds in an amount of petty cash as fixed by the commission within the authority of law and except those received and held pursuant to RCW 67.16.102 shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the Horse Racing Commission Revolving Fund. Disbursements from the revolving fund shall be on authorization of the commission or duly authorized representative thereof. In order to maintain an effective expenditure of revenue control system the revolving fund shall be subject in all respects to chapter 43.88 RCW and legislative appropriation shall be required to permit expenditures in payment of obligations from such fund. When excess funds are distributed all monies subject to distribution shall go to the state general fund. Excess funds in the revolving fund shall be distributed by the commission quarterly.*

**NEW SECTION.** Sec. 8. There is added to chapter 67.16 RCW a new section to read as follows:

*Monies in the revolving fund shall be distributed as follows: Twenty percent thereof*



shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. Of the remaining eighty percent, forty-seven percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the "state trade fair fund" which shall be maintained as a separate and independent fund, and made available to the director of commerce and economic development for the sole purpose of assisting state trade fairs. The remaining thirty percent shall be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the "fair fund," which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15 RCW."

#### POINT OF INQUIRY

Senator Mardesich: "Will Senator Harry Lewis yield? Did we pass a bill yesterday directly related to the new section 2 that you are seeking to add here?"

Senator Lewis (Harry): "There were no amendments adopted yesterday."

Senator Mardesich: "We had another bill with respect to the Horse Racing Commission. One of those bills prohibited the members of the Commission and their spouses from racing horses. Now this is the exact same subject matter, is it not?"

Senator Lewis (Harry): "That is correct."

Senator Mardesich: "Does it conflict in any way with the other one and which would prevail if there is any distinction in the language?"

Senator Lewis (Harry): "We have checked with counsel, Senator Mardesich, and there is no conflict between section 2 and the bill passed the other day. It will not be a problem in the opinion of counsel."

Senator Mardesich: "That also was a House bill, was it not? Or was it a Senate bill?"

Senator Lewis (Harry): "That is correct."

On motion of Senator Lewis (Harry), the following amendment by Senator Matson to the amendment by Senator Lewis (Harry) was adopted:

Amend the amendment by Senator Lewis (Harry) to page 2 as follows:

In line 7 of new section 8 after "*commission*" and before the period insert "*from any state fund other than the Horse Racing Commission Revolving Fund*".

On motion of Senator Keefe, the following amendment by Senators Woodall and Keefe to the amendment by Senator Lewis (Harry), as amended by Senator Matson, was adopted:

On the last line of new section 8, after "RCW" and before the period, insert:

"**PROVIDED**, That the commission shall not expend for regulatory purpose at any race meet a sum greater than three-fourths of one percent of the total parimutuel handle at such meet. Regulatory purposes within the meaning of this provision shall include but not be limited to the salaries of all officials and personnel at the meet, the cost of services and equipment for the film patrol, the photo finish and the laboratory work, but shall exclude amounts paid to commissioners pursuant to RCW 67.16.017, per diem and travel expenses of employees, the cost of equipment and supplies used in connection with the licensing of personnel, and shall also exclude the cost of personnel and operating expense of the office of the commission at Olympia, Washington: **PROVIDED, HOWEVER**, That the foregoing limitation on expenditures shall not apply to those race meets nonprofit in nature which are licensed pursuant to RCW 67.16.130 nor shall the limitation prevent the commission from spending up to \$800.00 per day for regulatory purposes at any race meet."

The motion by Senator Lewis (Harry) carried and the amendment, as amended, was adopted.

On motion of Senator Lewis (Harry), House Bill No. 590, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## MOTIONS

On motion of Senator Mardesich, House Bill No. 590, as amended by the Senate, was ordered held on third reading and to be considered following Engrossed House Bill No. 376.  
On motion of Senator Mardesich, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 9, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2502, with the following amendments:

On page 5, line 29 of the title after "49.24.110;" strike everything through "50.20.030;" on line 31.

On page 31, section 39, line 19 of the engrossed bill, being page 30, line 23 of the printed bill, after "the age of" strike "sixteen" and insert "[sixteen] fourteen".

On page 81, beginning on line 7 of the engrossed bill, being page 80, line 11 of the printed bill, strike all of section 91 and renumber the remaining sections consecutively., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Mardesich, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2502.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2502, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—45.

Absent or not voting: Senators Dore, Durkan, Murray, Woody—4.

ENGROSSED SENATE BILL NO. 2502, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

HOUSE BILL NO. 127, by Representatives Kilbury, Amen and Van Dyk:

Implementing law relating to distribution of taxes collected for taxing district purposes.

The bill was read the second time by sections.

On motion of Senator Fleming, House Bill No. 127 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 127, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day,

Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-48.

Absent or not voting: Senator Dore-1.

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. 306, by Committee on Ecology (originally sponsored by Representatives Thompson, Julin, Luders and Zimmerman) (by Executive request):

Providing for environmental coordination procedures.

The Senate resumed consideration of Substitute House Bill No. 306, as amended by the Senate on Sunday, April 8, 1973.

On motion of Senator Whetzel, the following amendment was adopted:

On page 10, section 10, line 31, after "application" and before "under" strike "and obtaining a ruling thereon".

On motion of Senator Washington, Substitute House Bill No. 306, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 306, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-47.

Absent or not voting: Senators Dore, Twigg-2.

SUBSTITUTE HOUSE BILL NO. 306, 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 BILL NO. 2841, by Senator Fleming:

Providing a sales tax exemption for hospital laundry services.

#### REPORT OF STANDING COMMITTEE

April 2, 1973.

SENATE BILL NO. 2841, providing a sales tax exemption for hospital laundry services (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause, strike the remainder of the bill and insert the following:

"Section 1. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the

nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), or (c) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsection (2), and 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, *and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals*, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services, including amounts designated as interest, rents,

fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities: (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

The terms shall also include the renting or leasing of tangible personal property to consumers.

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

*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 July 1, 1973."

On page 1, on line 1 of the title after "taxation;" strike the remainder of the title and insert the following:

"amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.050; prescribing an effective date; and declaring an emergency."

Signed by: Senators Donohue, Vice Chairman; Bailey, Canfield, Dore, Fleming, Gardner, Lewis (Harry), Mardesich, Ridder, Sandison.

The bill was read the second time by sections.

Senator Fleming moved adoption of the committee amendment.

Senator Greive moved adoption of the following amendment to the committee amendment:

On page 2 of the amendment, section 1, in line 17 after "of" and before "hospitals" in line 18 strike "nonprofit".

Debate ensued.

The motion by Senator Greive carried and the amendment to the committee amendment was adopted.

The motion by Senator Fleming carried and the committee amendment, as amended, was adopted.

On motion of Senator Fleming, the committee amendment to the title was adopted.

On motion of Senator Fleming, Engrossed Senate Bill No. 2841 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2841, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Fleming, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sellar, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall-33.

Voting nay: Senators Donohue, Durkan, Francis, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Matson, Mattingly, Odegaard, Sandison, Scott, Van Hollebeke, Woody-15.

Absent or not voting: Senator Henry-1.

ENGROSSED SENATE BILL NO. 2841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 376, by Representatives Gallagher, Johnson, Polk and King:

Creating an investment advisory committee and providing for the investment of certain public funds.

The bill was read the second time by sections.

On motion of Senator Ridder, the following amendments were adopted:

On page 7, section 7, line 21 of the engrossed bill, being line 3 of the House committee amendment to page 7, section 7, line 20, after "commission" insert "or its successor".

On page 8, section 10, line 33 of the engrossed bill, being page 8, line 20 of the printed bill, after "commission" insert "or its successor".

Senator Ridder moved adoption of the following amendment:

On page 14, section 17, after line 14, insert a new subsection to read as follows: "(1) Section 12, chapter 193, Laws of 1969 and RCW 39.58.120;"

Renumber the remaining subsections appropriately.

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Ridder yield to a question? Senator Ridder, I recall when we passed that bill three or four years ago, the reason that we were asked to establish the treasury bill rate was the fact that it would raise our interest income. What has changed from then to now? Is this a peculiar drop in treasury note rates that happened a short while ago and if we do this now, would it be harming the situation later?"

Senator Ridder: "No, the problem is that we did not know at the time that we passed this just what would happen to that ninety-day bill auction rate and, as I said, last year it fell to 3.06. I do not think the people understood at the time the bill was passed that it would ever go that low, but you can see the differential there, that this is extremely harmful to public moneys and what we make off of them."

Senator Mardesich: "I understand what you are saying but I am wondering whether that was a peculiar situation that caused that drop in the treasury rate, because as I recall the debate at that time, it was that it would render us the greater interest rate."

Senator Ridder: "I think, personally, from what I have talked to the people out here that the public deposit protection commission has the power to regulate this. It can set these fees and it is well within their power to set an equitable rate and I think that this hampers them considerably from doing the job they are supposed to do."

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 376, as amended by the Senate, was ordered held for further consideration on second reading following Engrossed House Bill No. 576.

#### THIRD READING

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:

Providing for representation of breeders of quarterhorses on the racing commission.

The Senate resumed consideration of House Bill No. 590, as amended by the Senate earlier in the day.

## MOTIONS

On motion of Senator Lewis (Harry), House Bill No. 590 was returned to second reading.

On motion of Senator Lewis (Harry), the Senate reconsidered the vote by which the amendment by Senator Lewis (Harry) as amended was adopted.

On motion of Senator Lewis (Harry), the following amendment by Senator Lewis (Harry) to the amendment, as amended, was adopted:

Amend the Lewis Amendment to page 2 as follows:

Strike all of new section 2, and renumber the remaining sections consecutively.

On motion of Senator Lewis (Harry), House Bill No. 590, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 590, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 590, 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 PRESIDENT

The President signed:  
HOUSE BILL NO. 36,  
HOUSE BILL NO. 69,  
HOUSE BILL NO. 112,  
HOUSE BILL NO. 124,  
HOUSE BILL NO. 234,  
HOUSE BILL NO. 389,  
SUBSTITUTE HOUSE BILL NO. 391,  
HOUSE BILL NO. 423,  
HOUSE BILL NO. 438,  
HOUSE BILL NO. 463,  
HOUSE BILL NO. 481,  
HOUSE BILL NO. 492,  
HOUSE BILL NO. 628.

## MOTIONS

On motion of Senator Dore, House Bill No. 418 was made a special order of business immediately following recess.

At 10:30 a.m., on motion of Senator Bailey, the Senate was declared to be at ease.

The President called the Senate to order at 12:20 p.m.

## MOTION

On motion of Senator Keefe, Engrossed House Bill No. 638 was ordered to hold its place on the second reading calendar for Wednesday, April 11, 1973.

## MOTION

At 12:25 p.m., on motion of Senator Mardesich, the Senate recessed until 2:30 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

April 10, 1973.

SENATE BILL NO. 2158, providing that universities may adopt rules to authorize and govern collective bargaining (reported by Committee on Higher Education):

MAJORITY recommendation: That Substitute Senate Bill No. 2158 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Marsh.

Passed to Committee on Rules for second reading.

April 9, 1973.

SUBSTITUTE HOUSE BILL NO. 64, implementing the laws relating to the special fuel tax (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Bottiger, Guess, Jolly, Lewis (Bob), Matson, Mattingly, Rasmussen, Washington.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED HOUSE BILL NO. 556, providing for student participation in community college tenure process (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf, Scott.

Passed to Committee on rules for second reading.

April 10, 1973.

HOUSE BILL NO. 648, implementing the law of industrial insurance (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED HOUSE BILL NO. 649, specifying bonding and cancellation procedures to be followed on public works projects affected by environmental litigation (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

Passed to Committee on Rules for second reading.

April 9, 1973.

ENGROSSED HOUSE BILL NO. 706, requiring assessors to add to the assessment list the omitted value of personal property (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Gardner, Grant, Lewis (Harry), Marsh, Newschwander, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.



April 9, 1973.

HOUSE BILL NO. 731, expanding nursing home treatment authority (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Keefe, Murray, Twigg.

Passed to Committee on Rules for second reading.

April 9, 1973.

ENGROSSED HOUSE BILL NO. 766, providing for the regulation of legend drugs (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Keefe, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED HOUSE BILL NO. 820, authorizing method of creating mandatory student association fees at institutions of higher education (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Donohue, Marsh, Metcalf, Scott.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, making certain changes in the state air pollution control laws (reported by Committee on Ecology):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

Passed to Committee on Rules for second reading.

April 10, 1973.

HOUSE BILL NO. 1105, permitting the use of a short form for filing water rights claims (reported by Committee on Ecology):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

Passed to Committee on Rules for second reading.

#### GUBERNATORIAL APPOINTMENTS

April 10, 1973.

GOODWIN CHASE, to the position of member of the Council on Higher Education, appointed by the Governor on July 23, 1971 for the term ending June 30, 1977, succeeding himself (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

April 10, 1973.

ROBERT W. WINSTON, JR., to the position of member of the Board of Trustees of Western Washington State College, appointed by the Governor on July 1, 1971 for the term ending March 16, 1976, succeeding Millard B. Hodges (reported by the Committee on Higher Education):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

MOTION

At 2:35 p.m., on motion of Senator Mardesich, the Senate was declared to be at ease. The President called the Senate to order at 2:45 p.m.

SPECIAL ORDER OF BUSINESS

HOUSE BILL NO. 418, by Representatives Ceccarelli, Bagnariol and Gaspard (by Department of General Administration request):

Providing additional regulations for bank and trust company investments.

The time having arrived, the Senate commenced consideration of House Bill No. 418, as amended by the Senate, on third reading.

MOTIONS

On motion of Senator Whetzel, House Bill No. 418, as amended by the Senate, was returned to second reading.

Senator Whetzel moved adoption of the following amendment:

On page 9, after section 8, add a new section as follows:

“Sec. 9. Section 5, chapter . . . ., (HB No. 423) Laws of 1973 ex. sess. and RCW 30. . . . . are each amended to read as follows:

An alien bank shall not, *nor shall any trustee or agent for an alien bank*, take over or acquire an existing federal or state-chartered bank, trust company, mutual savings bank, savings and loan association, or credit union or any branch of any such bank, trust company, mutual savings bank, savings and loan association, or credit union in this state; nor shall any designee, officer, agent or employee of an alien bank serve on the board of directors of any federal or state bank, trust company, savings and loan association, or credit union, or the board of trustees of a mutual savings bank.”

POINT OF ORDER

Senator Henry: “Mr. President, I raise the question of scope and object on this particular amendment.”

MOTION

On motion of Senator Walgren, House Bill No. 418, as amended by the Senate, the amendment by Senator Whetzel, and the Point of Order by Senator Henry were ordered placed on the calendar following consideration of Engrossed House Bill No. 576.

There being no objection, the Senate returned to the sixth order of business.

SECOND READING

HOUSE BILL NO. 483, by Representatives Bagnariol, Kuehnle, Perry and Julin:

Revising the application of the contractor's registration law.

The bill was read the second time by sections.

On motion of Senator Guess, House Bill No. 483 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 483, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly,

Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Greive—1.

HOUSE BILL NO. 483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 576, by Representatives Bausch, Zimmerman, Anderson, Conner and Laughlin:

Authorizing free fishing licenses for certain blind persons.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 576 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 576, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Donohue, Fleming, Greive, Lewis (Harry)—4.

ENGROSSED 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.

SENATE BILL NO. 2586, by Senators Durkan, Keefe and Peterson (Ted):

Allowing policemen and firemen retired under previous retirement systems to elect to receive a pension equal to that available under LEFF.

#### MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2586 was substituted for Senate Bill No. 2586 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Durkan, Substitute Senate Bill No. 2586 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Whetzel: "Can you tell me, Senator Durkan, what the impact of the recent social security increases would be on persons who are retired under these pensions and whether this bill takes that into consideration? Any coordination of social security increases to those persons that both have the benefits and the higher social security payment?"

Senator Durkan: "First, those that are receiving social security would receive it in addition to these benefits, and most of them do not have social security benefits that are in this category. Their average age, I think, is seventy-six years old and most of them do not receive the social security benefit."

Senator Whetzel: "We were told in committee that some of them did. Will they receive both the increase in social security and the increase in pension?"

Senator Durkan: "Yes."

Senator Whetzel: "Do you consider that desirable for the state to pay for the increase in this pension when actually they may be at a satisfactory pension level with a higher social security?"

Senator Durkan: In answer, the number is decreasing so fast that I do not think that the inequities that occur in it are going to be that great."

Senator Whetzel: "Is this cost going to be picked up by the state or is it by the city?"

Senator Durkan: "No, it is not. The cities are going to have to pay for this and it is about a million dollars."

Senator Whetzel: "This is mandatory on the cities?"

Senator Durkan: "That is right. It is about a million and, Senator, probably this afternoon or tomorrow morning we are going to be on a little metro bill that the state then will have to pick up the tab."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2586, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Voting yea: Senators Bottiger, Canfield, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Atwood, Clarke, Newschwander—3.

Absent or not voting: Senators Bailey, Donohue, Greive—3.

SUBSTITUTE SENATE BILL NO. 2586, having received the 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. 369, by Representatives Conner, Morrison, Knowles, Martinis, Adams, Warnke, Bausch, Beck, Gaines and Kilbury:

Changing pension benefits of volunteer firemen.

#### REPORT OF STANDING COMMITTEE

April 9, 1973.

HOUSE BILL NO. 369, changing pension benefits of volunteer firemen (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 6, after "[twenty-two]" strike "*twenty-five*" and insert "*thirty*".

On page 2, section 1, line 8, after "[twelve]" strike "*fifteen*" and insert "*twenty*".

On page 4, section 2, beginning on line 14, strike all of subsection (3).

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Dore, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison, Scott.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendments were adopted.

On motion of Senator Ridder, House Bill No. 369, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 369, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 369, 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 BILL NO. 2887, by Senators Donohue and Odegaard:

Limiting the transfer to justice courts of income from state traffic violations.

## REPORT OF STANDING COMMITTEE

April 2, 1973.

SENATE BILL NO. 2887, limiting the transfer to justice courts of income from state traffic violations (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 14, after "*than*" and before "*percent*", strike "*forty-five*" and insert "*fifty*".

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Fleming, Grant, Ridder, Scott.

The bill was read the second time by sections.

Senator Donohue moved adoption of the committee amendment.

## POINT OF INQUIRY

Senator Woody: "Would Senator Donohue yield? We have not had a chance to caucus on this. Could you explain, not only what your amendment does, but what the entire Senate bill does? I think we ought to caucus on this before we bring this out for final vote."

Senator Donohue: "Senator, I think that I can go through this and explain it very quickly and you will get the idea of what we are trying to do. In 1969 the legislature passed an act which distributed the schedule of fines and forfeitures. It was revised to give the court the first distribution for expenses, then the remainder, including drivers' education, was also distributed. In 1971 the distribution schedule was again revised to give traffic safety education a full amount of assessment. In 1968 the revenue from the fines and forfeitures was five point six million dollars. They spent at that time two point four million dollars. In 1972 the fines and forfeitures have increased to where they are collecting eight point one five million dollars and they were expending four point eight-nine million dollars. Now what this bill does actually is take some of this money and put it back where it originally was in the safety division of the Department of Motor Vehicles. The whole bill amounts to, according to the fiscal note, five hundred and forty-four thousand dollars. The point is that there is plenty of money there. This money is distributed by the counties today and it does not hurt drivers' education in any way and the Department of Motor Vehicles has built into its budget the need for this amount of money for its traffic safety division. In essence, that is the whole bill right there."

## MOTION

On motion of Senator Donohue, Senate Bill No. 2887, together with the pending committee amendment, was ordered placed on the second reading calendar following Substitute House Bill No. 53.

## SECOND READING

HOUSE BILL NO. 418, by Representatives Ceccarelli, Bagnariol and Gaspard (by Department of General Administration request):

Providing additional regulations for bank and trust company investments.

The Senate resumed consideration of House Bill No. 418, the pending amendment by Senator Whetzel and the Point of Order raised by Senator Henry previously today.

## RULING BY THE PRESIDENT

The President: "In ruling upon the point of order as presented by Senator Henry, the President finds that House Bill No. 418 is a banking measure which limits loaning authority of financial institutions with regard to taking its own stock for security, amends the laws with reference to the right to hold real estate and corrects filing procedures for application for new certificates. The amendment proposed by Senator Whetzel, however, pertains to the acquisition of local financial institutions by alien financial institutions. Therefore, the President believes that the amendment does increase the scope and object of House Bill No. 418 and the point as presented by Senator Henry is well taken."

The amendment by Senator Whetzel was ruled out of order.

On motion of Senator Dore, House Bill No. 418 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 418, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

HOUSE BILL NO. 418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 595, by Representatives Kopet, Shinpoch and Newhouse:

Abolishing certain accounts within the general fund.

The bill was read the second time by sections.

On motion of Senator Atwood, House Bill No. 595 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 595, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Voting nay: Senator Durkan—1.

HOUSE BILL NO. 595, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 617, by Representatives Charnley and King:

Providing for a public list of absentee ballot applications.

The bill was read the second time by sections.

On motion of Senator Grant, House Bill No. 617 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 617, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—43.

Voting nay: Senators Guess, Lewis (Harry), Woodall—3.

Absent or not voting: Senators Durkan, Francis, Henry—3.

HOUSE BILL NO. 617, having received the 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. 2385, by Senators Durkan, Peterson (Ted) and Bailey (by Washington State Teachers' Retirement System request):

Implementing law relating to the state teachers' retirement system.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

SENATE BILL NO. 2385, implementing law relating to the state teachers' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 3, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.497 are each amended to read as follows:

Any member who qualifies for a retirement allowance which is effective on or after July 1, 1970 shall receive a retirement allowance consisting of: (1) an annuity which shall be the actuarial equivalent of his accumulated contributions at his age of retirement, (2) [A] a basic service pension of one hundred dollars per annum, and (3) [A] a service pension which shall be equal to one one-hundredth of his average earnable compensation for his two highest compensated consecutive years of service times the total years of creditable service established with the retirement system: PROVIDED, That no member or retired member shall receive a pension of less than [five] six dollars and fifty cents per month for each year of creditable service established with the retirement system. Pension benefits payable under the provisions of this section shall be prorated on a monthly basis and paid at the end of each month.

*NEW SECTION.* Sec. 2. Any member of the teachers' retirement system who decides to retire after the effective date of this act shall be entitled to receive any new or increased benefits resulting from (a) the enactment of legislation creating a new retirement system through a merger of the public employees' retirement system and the teachers' retirement system; or, (b) benefit liberalizations of the teachers' retirement system.

This section shall not be effective after June 30, 1974.

*NEW SECTION.* Sec. 3. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Strike all of the title and insert the following:

"An Act relating to the Washington state teachers' retirement system; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 3, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.497; adding a new section to chapter 41.32 RCW; and declaring an emergency."

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Canfield, Dore, Fleming, Gardner, Grant, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Sandison, Scott.

The bill was read the second time by sections.

Senator Ridder moved adoption of the committee amendment.

On motion of Senator Woodall, the following amendment by Senators Woodall and Mardesich to the committee amendment was adopted:

Amend the committee amendment to section 1 as follows:

In line 13 of the amendment after "system:" insert "*PROVIDED, That for the purpose of retirement the highest two consecutive years of average final compensation shall be calculated at the contract rate without regard to deductions which may be occasioned by reason of leave for governmental service: PROVIDED FURTHER, That employee contribution must be calculated and paid at the contract rate;*" and on line 13, after "PROVIDED" insert "*FURTHER*".

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Woodall yield to a question? Senator Woodall, does your amendment provide that they will pay at the contract rate into the retirement fund?"

Senator Woodall: "Yes, they do anyway. Senator Mardesich has answered that."

#### POINT OF INQUIRY

Senator Bailey: "Would Senator Ridder yield to a question? Senator Ridder, is it your understanding that the effort is to be made and that it is our intent in this legislature, within the next year after the Touche-Ross report is in, that we bring this system up and bring as much equity between the PERS and teachers' retirement systems as possible?"

Senator Ridder: "The intent is to improve benefits and I think that we can say we will improve benefits, and I would amplify that outside the record."

Senator Bailey: "Is the answer yes or no?"

Senator Ridder: "Yes."

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Ridder yield to a question? Senator Ridder, I think you were off of the floor. There was an amendment adopted that would say that for teacher legislators that their salary will be considered for the pension purposes at their contract rate. And I wish that you would have the Pension Commission and the attorneys take a look at that amendment because I think it is kind of fouled up as to how they are going to get the contribution. At the present time, of course, the contribution is going in at the five percent rate as a legislator on the three hundred dollars a month and I cannot see how they are going to get that contribution rate up on the teachers' salaries so I think it needs some clearing up."

Senator Ridder: "As you noticed, I did not vote on this measure and I will not vote on this measure and the House will have this bill shortly and they will be able to deliberate on the wisdom of what we have done. I think we should leave it to them and I think they can handle it."



## POINT OF INQUIRY

Senator Canfield: "Would Senator Ridder yield? Senator Ridder, whether you vote on it or not is immaterial to my question. I thought that Senator Rasmussen was asking you how it was to be financed and you just answered that you were not going to vote on the measure."

Senator Ridder: "Senator, I feel that this is a conflict of interest as far as I am concerned. I am a teacher legislator. I am going to leave the floor. I am not going to vote on this issue and I do not feel that I should take part in discussion of this. Senator Woodall drew the amendment. Ask Senator Woodall how he feels it shall be funded because I think this is his problem."

## POINT OF INQUIRY

Senator Canfield: "Mr. President, will Senator Woodall yield? Senator, do you have a conflict of interest?"

Senator Woodall: "No, I have no conflict of interest. Of course not. Senator Durkan made an oral amendment which told you how it would be funded. It said, 'provided that it was paid in at the same contract rate.' It has already been amended."

Senator Canfield: "Mr. President, I am not satisfied with his answer."

## REMARKS BY SENATOR CANFIELD

Senator Canfield: "In view of a possible conflict of interest, I ask that my vote be expunged and I will withdraw from the floor if necessary, Mr. President."

## REPLY BY THE PRESIDENT

The President: "Under the provision of the Constitution, Senator Canfield will not vote."

## POINT OF INQUIRY

Senator Rasmussen: "Does that conflict of interest, I know there is a conflict sometimes. I am married to a school teacher. Does that extend also to my vote?"

## REPLY BY THE PRESIDENT

The President: "The President thinks not, Senator Rasmussen. The President believes that Senator Canfield, in his own honest opinion, should not vote, and the President is willing to accept his statement."

## REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "I was asking only for my purpose, too. There are conflicts in being married to a school teacher sometimes, yes. There are good conflicts, too."

## REPLY BY THE PRESIDENT

The President: "Senator Rasmussen, Senator Canfield made his own determination. The President believes the same situation applies to you. Do you wish to vote, Senator Rasmussen?"

Senator Rasmussen: "Mr. President, under 276 there are so many questions I had probably better be listed as an expunged vote. Merely list me as not voting, Mr. President."

## REPLY BY THE PRESIDENT

The President: "If Senator Rasmussen is so inclined, it is so ordered."

The motion by Senator Ridder carried and the committee amendment, as amended, was adopted.

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Durkan, Engrossed Senate Bill No. 2385 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2385, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senator Greive—1.

Absent or not voting: Senator Canfield, Metcalf, Odegaard, Rasmussen, Ridder, Sandison—6.

ENGROSSED SENATE BILL NO. 2385, having received the constitutional 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. 685, by Representatives Kuehnle, Anderson and North (Lois):

Providing that fire districts may contract with the state authority owning adjacent lands for fire protection.

The bill was read the second time by sections.

On motion of Senator Talley, Engrossed House Bill No. 685 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Atwood: "Will Senator Talley yield? Senator, the bill says that the state shall contract with the local fire districts. I was just wondering what happens if the state and the fire districts cannot agree on the amounts? What is contemplated there, no fire protection?"

Senator Talley: "I am sure that would not happen. If they cannot agree to the amount they will probably be back in the next session and we will be putting some legislation through here to compel them to, but I am sure they will be able to get fire service, yes."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 685, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Dore—1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 705, by Representative Bagnariol:

Permitting a health care service subscriber ten days to reject a health care services contract.

The bill was read the second time by sections.

On motion of Senator Day, Engrossed House Bill No. 705 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 705, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Clarke, Guess, Lewis (Bob), Mattingly, Sellar, Wanamaker—6.

Absent or not voting: Senator Durkan—1.

ENGROSSED HOUSE BILL NO. 705, having received the 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 Senator Mardesich, all bills passed at this point today were ordered immediately transmitted to the House.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 720, by Representatives Shinpoch, Kopet, Bagnariol, Chatalas, Bluechel and Kraabel:

Centralizing and unifying state data processing facilities.

#### REPORT OF STANDING COMMITTEE

April 4, 1973.

ENGROSSED HOUSE BILL NO. 720, centralizing and unifying state data processing facilities (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 5, line 26, after "follows:" and before "members" strike "Three" and insert "Two".

On page 3, section 5, line 27, after "government;" and before "the" insert "the Lieutenant Governor;"

On page 8, section 6, line 3 of the printed bill, being line 5 of the engrossed bill, after "days," insert "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 act."

Signed by: Senators Rasmussen, Chairman; Day, Knoblauch, Lewis (Harry), Scott, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments were adopted.

Senator Metcalf moved adoption of the following amendment:

On page 8, add a new section following section 9 as follows:

"*NEW SECTION.* Sec. 10. There is added to chapter 43.105 RCW a new section to read as follows:

(1) The authority or its designee is hereby authorized to undertake a demonstration project in the area of payroll accounting. Such project shall be a pilot program to establish a unified system of payroll accounting to be used by all state agencies, departments, divisions, boards, commissions, or other bodies having employees paid by warrants drawn on the state treasury.

The director shall designate one state agency or department as the subject of such project, which shall operate a parallel system of payroll accounting for a period of three months. There shall be no extra cost to the department as a result of such project, nor shall the normal operation of the department be hindered in any way.

Volunteer workers may take part in such project, and only computer time which would not otherwise be used may be allocated to such project. At the completion of the project, neither the state nor the department or agency involved shall be under any obligation to continue the project or reimburse in any way any volunteer worker who took part in it.

(2) At the end of the demonstration project provided for in subsection (1) of this act, the authority shall undertake a study of the value of the project and any benefits which could be gained from implementation of such unified system of payroll accounting on a broader scope.

If the director finds that the establishment of such a system would realize greater economies and lead to increased efficiency in the state payroll accounting system, the director may authorize the adoption of such system for any or all state agencies, departments, divisions, boards, commissions, or other bodies having employees paid by warrants drawn on the state treasury.

(3) Such system shall utilize time cards to be completed weekly by each state employee, and such time cards shall indicate the employee's number, the date, the employee's control section, project for that week, the number of hours worked each day during that week, and such other information as the director or his designee may require. Data from the employee time cards shall be key punched in a form useable by computer data processing equipment, shall be verified weekly, and used in the issuance of the payroll at intervals provided by RCW 42.16.010 as now or hereafter amended.

From the weekly time card data payroll registers, deduction registers, and other related reports shall be prepared. Tax reports (941-A) shall be prepared on a quarterly basis and earnings statements (W-2) on an annual basis.

The cost of furnishing any data processing services required to carry out the provisions of this subsection, if such services are furnished by the state data processing center, shall not exceed the cost for equivalent services which could be furnished by the private sector of the economy.

The authority shall promulgate such rules and regulations as may be necessary to carry out the purposes of this section."

Renumber remaining sections consecutively.

#### POINT OF ORDER

Senator Donohue: "Mr. President, I would like to raise the point of scope and object on this particular amendment."

#### MOTION

On motion of Senator Lewis (Harry), Engrossed House Bill No. 720, as amended by the Senate, together with the pending amendment by Senator Metcalf and the Point of Order by Senator Donohue, was ordered held for consideration at the end of today's second reading calendar.

President Pro Tempore Henry assumed the Chair.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 722, by Committee on Commerce (originally sponsored by Representatives Eikenberry, Chatalas, Nelson, Eng, Paris and Curtis) (by Executive request):

Implementing laws relating to solicitation of funds for charity.

## REPORT OF STANDING COMMITTEE

April 6, 1973.

SUBSTITUTE HOUSE BILL NO. 722, implementing laws relating to solicitation of funds for charity (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike sections 1 through and including section 39 on page 21 and insert the following new section:

"**NEW SECTION.** Section 1. There is added to chapter . . . , Laws of 1973 (Enrolled Senate Bill 2525) and to Title 19 RCW a new section reading as follows:

Nothing in this chapter shall require registration or application for registration by radio and television stations or legal newspapers, or their employees acting within the scope of their employment nor shall any such station, newspaper or employee thereof be considered a professional fund raiser, charitable organization, professional solicitor or trustee: PROVIDED, HOWEVER, That the manager or publisher of any such station or newspaper which solicits and actually collects charitable cash contributions exceeding a total value of five hundred dollars for any single charitable purpose during any twelve month period, although exempt from the registration provisions of this chapter, shall file a short form report, in the form and manner provided under section 13 of this 1973 act, as an account of the distribution of such contributions, and thereafter such additional information as the director may require."

On page 1, line 2, strike all of lines 2 and 3 and insert the following: "new section to Title 19 RCW and to chapter . . . , Laws of 1973 (Enrolled Senate Bill 2525)."

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Twigg, Woodall.

The bill was read the second time by sections.

Senator Bottiger moved adoption of the committee amendment.

On motion of Senator Bottiger, the following amendment to the committee amendment was adopted:

On the third line from the bottom of the Senate committee amendment, strike "this 1973 act" and insert "enrolled Senate Bill 2525".

The motion by Senator Bottiger carried and the committee amendment, as amended, was adopted.

On motion of Senator Bottiger, the committee amendment to the title was adopted.

On motion of Senator Bottiger, Substitute House Bill No. 722, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 722, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

SUBSTITUTE HOUSE BILL NO. 722, 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.

ENGROSSED HOUSE BILL NO. 753, by Representatives Swayze, Thompson, Smythe, Paris, Erickson, Kraabel and Hayner:  
Permitting public assistance grants to certain high school students.

#### REPORT OF STANDING COMMITTEE

February 23, 1973.

ENGROSSED HOUSE BILL NO. 753, permitting public assistance grants to certain high school students (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 9 of the engrossed and printed bill, after "school" and before "and is" insert "or vocational or technical training institution".

In section 1, line 12 of the engrossed and printed bill, after "attends" and before "school" strike "high".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Jones, Murray.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Bailey, the following amendment by Senators Bailey and Durkan was adopted:

On page 1, section 1, line 15 of both the engrossed and printed bills, after "birthday" and before the period insert ": PROVIDED FURTHER, That the department of social and health services is authorized to extend this limitation for one additional year if in the opinion of the department such extension will result in the completion of a secondary education".

On motion of Senator Day, Engrossed House Bill No. 753, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 753, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-45.

Voting nay: Senators Guess, Twigg, Woodall-3.

Absent or not voting: Senator Connor-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.

ENGROSSED HOUSE BILL NO. 821, by Representatives Pardini, Wojahn and Curtis:  
Providing for prearrangement contracts for the purchase of cemetery merchandise or services.

The bill was read the second time by sections.

Senator Stortini moved adoption of the following amendment by Senators Stortini, Ridder, Dore, Greive, Van Hollebeke and Connor:

On page 7, after section 17, add a new section as follows:

"NEW SECTION. Sec. 18. Section 82.08.030, chapter 15, Laws of 1961 as amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers: PROVIDED, That the purchaser or user must be the holder of a carrier

permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to



assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and for purposes of this exemption the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(28) Sale of caskets, boxes, urns, vases, liners and vaults."

Renumber the remaining sections.

#### POINT OF ORDER

Senator Lewis (Harry): "I raise the point of scope and object."

## RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "Senator Lewis's point is well taken. It does enlarge the scope and object of the bill."

The amendment by Senators Stortini, Ridder, Dore, Greive, Van Hollebeke and Connor was ruled out of order.

On motion of Senator Greive, Engrossed House Bill No. 821 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 821, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED HOUSE BILL NO. 821, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Cherberg assumed the Chair.

## SECOND READING

ENGROSSED HOUSE BILL NO. 720, by Representatives Shinpoch, Kopet, Bagnariol, Chatalas, Bluechel and Kraabel:

Centralizing and unifying state data processing facilities.

The Senate resumed consideration of Engrossed House Bill No. 720, as amended by the Senate and the Point of Order raised by Senator Donohue on the amendment by Senator Metcalf previously today.

## RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order raised by Senator Donohue, finds that the amendment to Engrossed House Bill No. 720 is a measure which sets up a new Washington State Data Processing Authority to study, organize and develop automated data processing system. The amendment, as amended, merely specifies one project to assist in accomplishing the goals of the committee and does not enlarge the scope and object of the bill. The point of order by Senator Donohue is not well taken."

The motion by Senator Metcalf carried and the amendment was adopted.

On motion of Senator Rasmussen, Engrossed House Bill No. 720, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 720, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Connor, Durkan, Peterson (Lowell), Stortini—4.

ENGROSSED HOUSE BILL NO. 720, 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

Senator Lewis (Harry) moved adoption of the following resolution:

#### SENATE RESOLUTION 1973-74

By Senators Lewis (Harry), Bailey, Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Larry Writer, Captain, United States Air Force, recognized his duty as a citizen by serving his country in the armed forces; and

WHEREAS, Such service resulted in his being captured and held as a prisoner of war for over five years under very primitive conditions, evidenced by a lack of adequate food, medical and dental care; and

WHEREAS, In an attempt to cause Larry much mental and emotional distress, during long periods of his captivity he was permitted little or no contact with his wife, Molly, his daughters, Laurie and Brenda, his mother, Mary Lou, or his father, Joe; and

WHEREAS, Larry has now been reunited with his family and has returned to his native city, Lacey, Washington to meet with many of his friends and relatives; and

WHEREAS, His return was celebrated with homecoming activities embracing civic leaders and friends from the communities of Lacey, Olympia and Tumwater, culminating with a reception at his alma mater, North Thurston High School, on Saturday, April 7;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That Captain Writer be commended for his devotion to family, duty and country during those long days of internment.

BE IT FURTHER RESOLVED, That the members of the Senate, speaking on behalf of all the citizens of our state, extend a most warm welcome to Captain Writer upon his return home.

BE IT FURTHER RESOLVED, That it is with sincere gratitude and appreciation that we say to you, as to our other returning prisoners of war, "Thank you for a job well done."

BE IT FURTHER RESOLVED, That the members of this body wish Captain Writer and the members of his family happiness and good luck in the days, months and years which lie ahead.

BE IT FURTHER RESOLVED, That suitably inscribed copies of this resolution be transmitted by the Secretary of the Senate to Captain and Mrs. Writer and their children, and to Mr. and Mrs. Joe Writer.

#### REMARKS BY SENATOR HARRY LEWIS

Senator Lewis (Harry): "Before I make the motion to advance, I would like to explain to the Senate what is involved. Captain Larry Writer was honored today in the House and brought to the rostrum and it was at my suggestion that, because he is tired and because the Senate has so much work, that we would just pass a resolution honoring Captain Larry Writer who is from Thurston County and recently came home. He spent five years in Viet

Nam. Many of you, I think, knew his mother, Mary Lou Writer, who worked in the House for many years. He is home and he is back with his family and there were many boys from across the state who did serve over there. There were twenty-eight from Thurston County who did not return. And so in presenting this resolution today, gentlemen, to honor Captain Larry Writer, I do so in the name of those twenty-eight men from Thurston County who did not return and in the names of those many men from across the state who also did not return, and in the names of those who did serve so valiantly and are back with us again, and in the name of Captain Larry Writer who we are proud to have back with us, who is an outstanding American boy who was honored in Lacey recently, last weekend, and a boy who I hope you will all get to know. We are proud of him."

#### MOTION

On motion of Senator Ridder, all Senate members were added as sponsors of Senate Resolution 1973-74.

The motion by Senator Lewis (Harry) carried and the resolution was unanimously adopted.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 9, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 782, and the Senate amendment thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Curtis, Ceccarelli and Wojahn.

DONALD R. WILSON, Assistant Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

April 11, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 782, regulating chain distributor business schemes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

We have rejected the Senate amendment found on page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill and need the powers of Free Conference to insert in its place the following amendment:

On page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill, after "value" and before the period insert "; (g) amounts paid for trading stamps redeemable in cash only; (h) amounts paid for trading stamps to be used as incentives only and not to be used in, with, or for the sale of any goods".

Signed by: Senators Mardesich, Whetzel and Grant; Representatives Curtis, Wojahn and Ceccarelli.

#### MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### SECOND READING

HOUSE BILL NO. 1019, by Representatives Julin, Randall, Pardini, Tilly and Bagnariol:

Authorizing the use of certain tax information and records to determine sales and use tax liability.

The bill was read the second time by sections.

On motion of Senator Donohue, House Bill No. 1019 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1019, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Connor, Durkan, Stortini—3.

HOUSE BILL NO. 1019, having received the 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. 2669, by Senators Van Hollebeke, Marsh, Gardner, Whetzel, Greive and Knoblauch:

Relating to unemployment compensation and requiring employing units to report refusal of offers of reemployment.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 1, section 1, line 9, strike "the same job and".

#### MOTIONS

On motion of Senator Grant, Senate Bill No. 2669, together with the pending amendment by Senator Mardesich, was ordered placed on the second reading calendar following House Joint Resolution No. 6.

On motion of Senator Mardesich, the following Senate bills were ordered to hold their places on the second reading calendar for Wednesday, April 11, 1973: 2762, 2134 and 2046.

On motion of Senator Mardesich, Senate Bill No. 2144 was re-referred to the Judiciary Committee.

#### MOTION

On motion of Senator Mardesich, from this time until Saturday midnight, at least, discussion on the floor will be limited to three minutes per speaker.

#### SECOND READING

SENATE BILL NO. 2366, by Senator Grant:

Relating to legislative redistricting.

#### REPORT OF STANDING COMMITTEE

March 21, 1973.

SENATE BILL NO. 2366, relating to legislative redistricting (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass with the following amendments:

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

*NEW SECTION.* Section 1. The legislature hereby recognizes the emergence of certain hardships and the existence of some unintended distortions and minor inequities occasioned by the legislative district boundaries established by the court plan and order for legislative and congressional redistricting (United States district court, western district of Washington at Seattle, case 9668, filed April 21, 1972, at Seattle). The legislature declares that it is the purpose of this 1973 act to remedy such hardships and distortions consistent with such plan and in a manner which retains basic population parity, in making minor adjustments in some legislative district boundaries by setting out such districts in this 1973 act: PROVIDED, That all legislative and congressional districts shall remain as numbered in such court plan and order. The legislature further declares that the boundaries of all legislative districts not modified by this 1973 act shall be as described in such court order, until modified by said court or other court having jurisdiction thereof, or until superseded by the legislature.

*NEW SECTION.* Sec. 2. For the purposes of this 1973 act each legislative district shall be framed and described in terms of complete, official United States census Bureau, census tracts (T), county census districts (CCD), enumeration districts (ED), block (B), and block groups (BG) to accord with the format of such court order.

*NEW SECTION.* Sec. 3. The Third legislative district shall consist of the following areas:

In Spokane City:

T 1  
T 2  
T 3  
T 13 (part: B 128-137, 201-207.)  
T 14 (part: BG 2, BG 3)  
T 15  
T 16  
T 17  
T 18  
T 19  
T 20  
T 21  
T 22  
T 23  
T 24  
T 25  
T 26  
T 27  
T 28  
T 33  
T 34  
T 35  
T 36  
T 37  
T 38

*NEW SECTION.* Sec. 4. The Fourth legislative district shall consist of the following areas:

In Spokane County:

T 112 (part: ED 19, 28, 29, 31, 32, 33)  
T 113  
T 114  
T 115  
T 116  
T 117  
T 118  
T 119

T 120  
T 121  
T 122  
T 123  
T 124  
T 125  
T 126  
T 127  
T 128  
T 129  
T 130  
T 131  
T 132  
T 133  
T 134 (part: ED 329, 330)  
T 143

In Whitman County:

CCD 1  
CCD 2  
CCD 6  
CCD 7

*NEW SECTION.* Sec. 5. The Fifth legislative district shall consist of the following:

In Spokane City:

T 4  
T 5  
T 6  
T 7  
T 8  
T 9  
T 10  
T 11  
T 12  
T 13 (part: B 101-127, 208-230; BG 3)  
T 14 (part: BG 1, BG 4)

In Spokane County:

T 105 (part: BG 1, 2, 9; ED 23, 24, 27)  
T 106  
T 107  
T 108  
T 109  
T 110  
T 111  
T 112 (part: ED 30, 80)

*NEW SECTION.* Sec. 6. The Sixth legislative district shall consist of the following areas:

In Spokane City:

T 29  
T 30  
T 31  
T 32  
T 39  
T 40  
T 41  
T 42  
T 43  
T 44  
T 45

T 46

T 47

In Spokane County:

T 134 (part: ED 249-250, 331-337)

*NEW SECTION.* Sec. 7. The Thirteenth legislative district shall consist of the following areas:

All of Kittitas County

In Grant County:

CCD 5

CCD 7

CCD 9

CCD 10

CCD 11

CCD 12

CCD 15

CCD 16

CCD 17

CCD Ephrata

In Yakima County:

CCD 1

CCD 2

CCD 3 (part: ED 9-13)

*NEW SECTION.* Sec. 8. The Fourteenth legislative district shall consist of the following areas:

In Yakima County:

CCD Yakima

CCD Selah

CCD 3 (part: ED 14)

CCD 6 (part: ED 27, 29)

CCD 7

CCD 8 (part: ED 20-22)

CCD 11

CCD 12

*NEW SECTION.* Sec. 9. The Twenty-third legislative district shall consist of the following areas:

In Kitsap County:

CCD 1

CCD 2

CCD 3

CCD 4 (part: ED 22-23)

CCD 6 (part: ED 26, 31)

CCD 7

CCD 8

CCD 9

CCD 10

CCD 11

CCD Bremerton

*NEW SECTION.* Sec. 10. The Twenty-sixth legislative district shall consist of the following areas:

In Kitsap County:

CCD 4 (part: ED 19-21)

CCD 5

CCD 6 (part: ED 27-30, 32-33)

CCD 12

CCD 14

CCD 15

CCD 16



CCD Port Orchard

In Pierce County:

CCD Lower Peninsula

CCD Gig Harbor Peninsula

T 603

T 604

T 609

T 610

T 735

*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 line 1 of the title after "redistricting" and before the period insert "; and creating new sections".

Signed by: Senators Grant, Chairman; Canfield, Gardner, Metcalf, Washington.

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment.

#### POINT OF INQUIRY

Senator Day: "Would Senator Donohue yield to a question? Senator Donohue, to your knowledge, having flown over this area, are there any persons living on the water in this particular area?"

Senator Donohue: "Did you say on the water or in the water, Senator?"

Senator Day: "On the water. By that I mean right on the water."

Senator Donohue: The last time I flew over there, there were several people in the water but I did not see anybody living on the water."

Senator Day: "Thank you."

On motion of Senator Day, the following amendment to the committee amendment was adopted:

On page 5, line 31, strike all of NEW SECTIONS 9 and 10 and insert the following:

*NEW SECTION.* Sec. 9. The Twenty-Third legislative district shall consist of the following areas:

In Kitsap County:

CCD 1

CCD 2

CCD 3

CCD 4

CCD 6 (part: ED 26 and that part of ED 31 that lies to the north and east of ED 26 and that is geographically separated by ED 26 from that part of ED 31 that lies to the south and west of ED 26, which the legislature, having consulted with the geography section of the United States Census Bureau, hereby determines to consist of only surface waters of Dyes Inlet and to contain no population.)

CCD 7

CCD 8

CCD 9

CCD 10

CCD 11

CCD Bremerton"

*NEW SECTION.* Sec. 10. The Twenty-sixth legislative district shall consist of the following areas:

In Kitsap County:

CCD 5

CCD 6 (part: ED 27-30, 32, 33, and that part of ED 31 that lies to the south and west of ED 26 and that is geographically separated by ED 26 from that part of ED 31 that lies to the north and east of ED 26.)

CCD 12  
 CCD 14  
 CCD 15  
 CCD 16  
 CCD Port Orchard

In Pierce County:

CCD Lower Peninsula  
 CCD Gig Harbor Peninsula  
 T 603  
 T 609  
 T 610  
 T 735"

The motion by Senator Day carried and the committee amendment, as amended, was adopted.

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, Engrossed Senate Bill No. 2366 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2366, and the bill passed the Senate by the following vote: Yeas, 41; nays, 5; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—41.

Voting nay: Senators Durkan, Greive, Murray, Newschwander, Van Hollebeke—5.

Absent or not voting: Senators Lewis (Harry), Metcalf, Ridder—3.

ENGROSSED SENATE BILL NO. 2366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 10, 1973.

Mr. President: The House refuses to recede from the House amendments to ENGROSSED SENATE BILL NO. 2096, and asks the Senate for a conference thereon, and the Speaker has appointed as conferees: Representatives Bauer, Goltz and Tilly.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Henry, the Senate granted the request of the House for a conference on Engrossed Senate Bill No. 2096 and the House amendments thereto.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2096 and the House amendments thereto: Senators Gardner, Guess and Odegaard.

## MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

## MOTION

At 5:05 p.m., on motion of Senator Mardesich, the Senate recessed until 8:00 p.m.

## EVENING SESSION

The President called the Senate to order at 8:00 p.m.

## MOTION

On motion of Senator Mardesich, the Senate resumed consideration of Engrossed House Bill No. 376, as amended by the Senate.

## SECOND READING

ENGROSSED HOUSE BILL NO. 376, by Representatives Gallagher, Johnson, Polk and King:

Creating an investment advisory committee and providing for the investment of certain public funds.

The Senate resumed consideration of Engrossed House Bill No. 376, as amended by the Senate, and the pending amendment by Senator Ridder to page 14, section 17 inserting new subsection (1).

## POINT OF ORDER

Senator Mardesich: "I raise the question of scope and object."

## RULING BY THE PRESIDENT

The President: "In ruling upon the point of order as presented by Senator Mardesich, it develops that House Bill No. 376 is a measure setting up an investment advisory committee to assist and advise in the investment policies of the State Finance Committee. The amendment proposed by Senator Ridder, however, changes the duties and powers of the Public Deposit Protection Commission with reference to fixing rates on all public funds invested in public depositories. The President believes, as Senator Clarke stated, that the amendment obviously deals with a subject much broader than the bill and therefore changes the scope and object of the bill. Therefore, the point of order as presented by Senator Mardesich is well taken."

The amendment by Senator Ridder was ruled out of order.

On motion of Senator Rasmussen, Engrossed House Bill No. 376, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 376, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly,

Metcalfe, Murray, Odegaard, Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-43.

Voting nay: Senator Newschwander-1.

Absent or not voting: Senators Grant, Peterson (Lowell), Peterson (Ted), Talley, Twigg-5.

ENGROSSED HOUSE BILL NO. 376, 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 Senator Mardesich, the Senate immediately commenced consideration of Substitute Senate Bill No. 2749.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2749, by Committee on Transportation and Utilities (originally sponsored by Senator Walgren):

Implementing law relating to the environmental impact of highways.

On motion of Senator Walgren, Substitute Senate Bill No. 2749 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Walgren yield? Did I hear you correctly that there was a lawsuit based on a holdup due to the national environmental act? Was that your statement?"

Senator Walgren: "That is one, yes."

Senator Woodall: "Then what has that got to do with this bill? You are not suggesting that we can amend the national environmental act?"

Senator Walgren: "No, I am not."

Senator Woodall: "So that the four million dollar lawsuit you talked about has no relationship to the state of Washington then. It is a federal problem."

Senator Walgren: "We have a similar example, however, Senator Woodall, with regard to . . ."

Senator Woodall: "Would you just answer that first question? My first question was, what you cited has nothing to do with this act at all. That was a federal matter."

Senator Walgren: "The holdup, as far as the construction up on Snoqualmie Pass, was based predominantly upon NEPA, the National Environmental Protection Act."

Senator Woodall: "Right. So that four million dollar suit has nothing to do with this state act. It is a federal matter."

Senator Walgren: "Well, it is an action that is brought against the state of Washington and something that we as taxpayers are going to have to pay."

Senator Woodall: "Yes, but it has nothing to do with our act and we cannot amend the federal act."

Senator Walgren: "Except that our act is patterned very basically under the National Environmental Policy Act."

Senator Woodall: "Senator, as a very good lawyer you know we cannot amend the federal act."

Senator Walgren: "I am not trying to amend it, Senator."

#### POINT OF INQUIRY

Senator Dore: "Will Senator Walgren yield to a question? I notice on page 7, line 13, section 9, it says, 'The provisions of this chapter shall apply to every highway project in the

state highway system for which a public hearing was held or will be held after August 9, 1971'. I just wonder how many projects will this legalize by the passage of this act and which ones you are talking about. What do you have in mind?"

Senator Walgren: "I do not know."

#### MOTION

Senator Walgren moved that Substitute Senate Bill No. 2749 be re-referred to the Committee on Transportation and Utilities.

Debate ensued.

The motion by Senator Walgren was amended by Senator Mardesich that Substitute Senate Bill No. 2749 be re-referred to the Committee on Transportation and Utilities with instructions that the committee report back in September should the Governor call the legislature into session.

#### POINT OF INQUIRY

Senator Jones: "I would like to ask a question of Senator Rasmussen. Senator Mattingly and I were a little concerned. He said Tom Garlington was the leading ecologist and I said environmentalist. Which was it?"

Senator Rasmussen: "It is a combination of both. I have known Tom a long time and he has a great concern, not alone for the Highway Department as the employer, but for the country as a whole."

Senator Jones: "He is a combination of both, then. This comes as a real surprise. Thank you."

Senator Rasmussen: "I might, in further answer, in all concern with Senator Woodall, of course as an attorney for the Highway Department he is supposed to defend the Highway Department as you, an attorney representing someone else, defend them. So he should not be condemned for that. And as far as the drafting of the bill goes, it is an excellent bill and I think when Senator Washington gets a chance to look at it and Senator Murray gets it explained by Senator Washington, they will probably agree it is a fine bill."

#### PERSONAL PRIVILEGE

Senator Washington: "I want to perhaps try to put something into the proper perspective. I do not think this should be a question of personality as far as an attorney for the Department of Highways is concerned. I happen to feel very close to Tom Garlington, who worked with me as an attorney in the Transportation Committee. He was probably the first real ecologist who worked with the legislature in working for the billboard control, which was really one of the first moves towards environment. I know he has a concern for the environment and I know that he also is an attorney for the Highway Department. He is not the one who makes policy. He is the one who handles the legal side. He is the one who attempts to draft legislation that will bring about what is needed by his client, the Department of Highways. And I really think that those of us who do feel that the environment needs protection, that we should talk about the issues and I do not think we should bring Tom Garlington into this as a personality. I just happen to feel that he is a fine man, a fine attorney, and he is attempting to do a job for his client."

#### POINT OF INQUIRY

Senator Fleming: "I wonder if Senator Mardesich will yield to a question? I was off the floor and you amended that motion and I heard you say September and I wanted to find out which September we were talking about, 1978, '80 or . . ."

Senator Mardesich: "I suspect it will be every one from now on."

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2813, by Committee on Ways and Means (originally sponsored by Senators Durkan and Atwood):

Providing financial support for public mass transit programs.

Senator Durkan moved adoption of the following amendment:

On page 9, beginning on line 11, strike all of section 7, and insert the following:

"NEW SECTION. Sec. 7. There is added to chapter 255, Laws of 1969 ex. sess. and to chapter 35.58 RCW a new section to read as follows:

(1) During the two fiscal years from July 1, 1973 to June 30, 1975, no municipality as defined in RCW 35.58.272 which has been authorized to levy a special excise tax pursuant to RCW 35.58.273 may levy an amount in each of such fiscal years greater than the maximum amount established pursuant to the following formula:

For each of the fiscal years 1973-74 and 1974-75 the total amount of such special excise taxes levied by all municipalities shall be \$6,000,000 per year and each municipality may levy not to exceed the proportion of such total amount which its population bears to the total population of all municipalities levying such tax. Prior to May 1, 1973 and May 1, 1974 each municipality desiring to levy an excise tax during the immediately following fiscal year shall so advise the director of the department of motor vehicles. Population figures required for these computations shall be supplied by the office of program planning and fiscal management to the director of the department of motor vehicles, who shall determine the maximum amount of the excise tax levy for each qualifying municipality and shall certify such amount to each such municipality prior to June 1 of each of the years 1973 and 1974.

(2) In addition to any other authority now provided by law, any municipality, including a metropolitan municipal corporation, shall be authorized to issue general obligation bonds for public mass transportation purposes with the principal and interest on said bonds to be paid from such taxes as shall be authorized to be levied by such municipality including motor vehicle excise taxes. Such bonds shall be issued and sold subject to the terms and limitations and in the manner provided in RCW 35.58.450: PROVIDED, That no municipality may issue general obligation bonds secured by or payable from motor vehicle excise taxes which bonds mature later than June 30, 1981.

(3) Any federal funds received in excess of those anticipated in annual local transit budgets shall be used in lieu of state funds distributed to municipalities pursuant to this 1973 amendatory act. An amount equal to the excess federal funds received shall be returned to the state treasurer and deposited in the state general fund."

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Atwood yield? Senator Atwood, I note in your discussion that the bill that we sent down to the Governor had a closed end on it. Is that correct?"

Senator Atwood: "That is correct."

Senator Woodall: "As the bill was sent down to him it would have cost the state how much?"

Senator Atwood: "I think the bill that we sent down the last time carried a three million dollar appropriation and had an expiration date of June 30, 1973, which is this year."

Senator Woodall: "It would have cost three million. So after we go home the old item veto comes out, takes off the end and now we are up to eighty-nine million."

Senator Atwood: "Well, that is over the next five years' minimum."

Senator Woodall: "So we spend three million while we are here. We go home and unbeknownst to us, with the use of a pencil, we spend up to that added sum of eighty-nine. Is that true?"

Senator Atwood: "I might point out, Senator, that we spent more than that because Metro and the other agencies were enabled to get an additional six point nine three five

million this biennium without any appropriation, by virtue of match.”

Senator Woodall: “That is just some of the added benefits of the item veto.”

Senator Atwood: “That is probably true.”

#### POINT OF INQUIRY

Senator Lewis (Bob): “Will Senator Durkan yield? I need merely clarification. I have been told by Dick Hemstad that if this bill fails there is no appropriation, no part of the twenty-nine million nor the twelve million will be available for Metro or the municipalities. My caucus leader has an opinion to the contrary. Would you please be kind enough to enlighten me as to what you see the facts as being?”

Senator Durkan: “The answer is that we have agreed, I think on the floor someone asked me when the main budget went through and I told them that we were trying to work out the answer as to the twelve million, but in any event, the twelve million would be appropriated, so Senator Atwood was correct.”

Senator Mardesich demanded a roll call and the demand was sustained by Senators Lewis (Harry), Jones, Woodall, Bottiger, Rasmussen, Sandison, Walgren, Scott and Jolly.

#### ROLL CALL

The Secretary called the roll and the amendment was adopted by the following vote: Yeas, 22; nays, 20; excused, 7.

Voting yea: Senators Clarke, Connor, Dore, Durkan, Fleming, Francis, Gardner, Guess, Herr, Jones, Lewis (Bob), Mattingly, Metcalf, Murray, Peterson (Lowell), Rasmussen, Ridder, Scott, Van Hollebeke, Walgren, Washington, Whetzel—22.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Day, Donohue, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Odegaard, Sandison, Sellar, Stortini, Wanamaker, Woodall, Woody—20.

Absent or not voting: Senators Grant, Greive, Henry, Newschwander, Peterson (Ted), Talley, Twigg—7.

On motion of Senator Durkan, the following amendment was adopted:

On page 12, section 9, line 14, after “Sec. 9.” and before “1973” strike “This” and insert “Sections 1 through 6 and section 8 of this 1973 amendatory act shall not take effect until June 30, 1981, and the remainder of this” and on page 12, section 11, beginning on line 29, after “distribution” strike the matter down to “to” on line 30.

On motion of Senator Durkan, the following amendment to the title was adopted:

On line 8 of the title after “adding” and before “to” strike “a new section” and insert “new sections” and on line 17 of the title after “appropriation;” and before “and” insert “prescribing an effective date”.

On motion of Senator Durkan, Engrossed Substitute Senate Bill No. 2813 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### MOTION

Senator Matson moved that Senators Peterson (Ted), Newschwander and Twigg be excused.

Debate ensued.

The motion carried on a rising vote and Senators Peterson (Ted), Newschwander and Twigg were excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2813, and the bill passed the Senate by the following vote: Yeas, 27; nays, 17; absent or not voting, 3; excused, 2.

Voting yea: Senators Bailey, Clarke, Connor, Donohue, Dore, Durkan, Fleming,

Francis, Gardner, Guess, Henry, Herr, Jolly, Jones, Lewis (Bob), Mattingly, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Scott, Twigg, Van Hollebeke, Walgren, Washington, Whetzel—27.

Voting nay: Senators Atwood, Bottiger, Canfield, Day, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Peterson (Lowell), Sandison, Sellar, Stortini, Wanamaker, Woodall, Woody—17.

Absent or not voting: Senators Grant, Greive, Talley—3.

Excused: Senators Newschwander, Peterson (Ted)—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, having received the 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 JOURNAL

Last Tuesday night during the debate on the Metro Bill a motion was made to excuse Senators Ted Peterson, Newschwander and Twigg. I objected because a few minutes before the Metro amendment, providing state matching funds for metro, had passed by a vote of 22 to 20. I thought that the motion was an attempt to excuse Senators and make them not subject to the call. One of the Senators sought to be excused was Senator Ted Peterson, who I knew to be a yes vote for Metro. There was absolutely no intent on my part to embarrass Senator Peterson or to force him into an unexcused absence. We needed 25 votes to pass Metro and my objection was to secure those needed 3 votes.

(signed by) Senator Fred Dore.

#### MOTION

On motion of Senator Mardesich, the Senate immediately commenced consideration of Engrossed Substitute House Bill No. 52.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, by Committee on Ways and Means—Revenue (originally sponsored by Representatives Newhouse, Randall, North (Lois) and Zimmerman) (by Legislative Council request):

Providing for a limited leasehold in lieu tax.

#### REPORT OF STANDING COMMITTEE

April 4, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, providing for a limited leasehold in lieu tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 4, line 33, being line 5 of the House Amendment to page 4, line 31, after "this act" strike the period and insert ", and (3) all leasehold estates of lands owned or held by any Indian or Indian tribe where the fee ownership of such property is vested in the United States; and (5) all leasehold estates held by enrolled Indians of lands owned or held by any Indian or Indian tribe where the fee ownership of such property is vested in or held in trust by the United States".

On page 8, section 11, line 30, being line 4 of the House amendment to page 8, line 20, after "United States" strike all the matter down to the period on line 32 of the engrossed bill, being through and including page 9, line 2 of the printed bill.

On page 10, section 14, line 14, being line 4 of the House amendment to page 10, line 23, after "United States" strike all the matter down to the period on line 15 of the engrossed bill, being line 26 of the printed bill.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice



Chairman; Atwood, Canfield, Fleming, Marsh, Peterson (Ted), Ridder, Sandison.  
 The bill was read the second time by sections.  
 On motion of Senator Mardesich, the committee amendments were adopted.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Durkan yield? This is kind of far-reaching, this taxing a leasehold interest. What does that do to leasehold interest on federal lands? In other words, someone leases from an Indian, to be specific."

Senator Durkan: "We just took care of that with the amendment, Senator. This does not require any economic rent requirement as far as leasehold interest on Indian lands is concerned."

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Durkan yield to a question? Senator Durkan, what is implied by the definition of 'renegotiated' in section 3, subsection (3) on page 4?"

Senator Durkan: "It is the intent of this legislation that there is a 'renegotiation' only when there is an adjustment of rent or other consideration payable to the lessor at the time of an extension or renewal of the lease itself.

"Long-term leases including escalator clauses or rental readjustment clauses are not deemed renegotiated unless they are extended or renewed at the time of readjustment."

#### MOTION

On motion of Senator Mardesich, Engrossed Substitute House Bill No. 52, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 52, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 5; absent or not voting, 4; excused, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Walgren, Wanamaker, Washington—38.

Voting nay: Senators Francis, Van Hollebeke, Whetzel, Woodall, Woody—5.

Absent or not voting: Senators Grant, Greive, Henry, Talley—4.

Excused: Senators Newschwander, Peterson (Ted)—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, 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.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGES FROM THE HOUSE

April 10, 1973.

Mr. President: The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 419,

SUBSTITUTE HOUSE BILL NO. 498, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The House has passed:  
 ENGROSSED HOUSE BILL NO. 552,  
 ENGROSSED HOUSE BILL NO. 1026, and the same are herewith transmitted.  
 DONALD R. WILSON, Assistant Chief Clerk.

#### MESSAGE FROM THE HOUSE

April 10, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2306, with the following amendments:

On page 1, section 1, beginning on line 8, after "county may" strike all the material down to and including "county," on line 9.

On page 1, section 1, line 19 after "writing" insert "and shall provide that the amount of compensation of any such contracting attorneys shall not exceed, in any one calendar year, the salary of the prosecuting attorney", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTIONS

Senator Walgren moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 2306.

Senator Woody moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2306.

Debate ensued.

On motion of Senator Atwood, the House Message on Engrossed Senate Bill No. 2306 was ordered held on the concurrence calendar for Wednesday, April 11, 1973.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2929, by Senator Dore:

An Act relating to financial institutions; adding a new section to chapter 30.08 RCW; adding a new section to chapter 32.12 RCW; and adding a new section to chapter 33.12 RCW.

Referred to Committee on Financial Institutions.

SENATE BILL NO. 2930, by Senator Rasmussen:

An Act relating to judges of the superior court; adding a new section to chapter 2.08 RCW; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2931, by Senators Rasmussen and Bailey:

An Act relating to state government; and adding a new section to chapter 41.04 RCW.  
 Referred to Committee on State Government.

SENATE BILL NO. 2932, by Senators Ridder, Whetzel and Keefe:

An Act relating to environmental protection; and creating a new chapter in Title 7 RCW.

Referred to Committee on Ecology.

SENATE BILL NO. 2933, by Senator Gardner:

An Act relating to veterans' services; and creating a new section.

#### MOTION

On motion of Senator Gardner, Senate Bill No. 2933 was referred to the Committee on Higher Education.

SENATE CONCURRENT RESOLUTION NO. 132, by Senators Knoblauch and Woody:

Recommending a study of boating access for Puget Sound and adjacent waters.  
Referred to Committee on Parks and Recreation.

SENATE CONCURRENT RESOLUTION NO. 133, by Senators Gardner and Knoblauch:

Providing community college curricula for Viet Nam Veterans.  
Referred to Committee on Higher Education.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 419, by Committee on Ways and Means (originally sponsored by Representatives Bagnariol, Morrison, Ceccarelli, Parker and Van Dyk) (by State Teachers' Retirement System request):

Implementing law relating to the state teachers' retirement system.  
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 498, by Committee on Ways and Means (originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a supplemental budget for miscellaneous purposes.  
Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 552, by Representatives Bagnariol, Gaspard, Barden, Anderson, Kelley, Chatalas, Gallagher, Perry, Maxie, Conner, McCormick and Kalich:

Placing health care services under laws applicable to other insurance.  
Referred to Committee on Social and Health Services.

ENGROSSED HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Chamley, Rabel, Lysen, Sommers and Kelley:

Providing for a state wide system of unit pricing in grocery stores.  
Referred to Committee on Agriculture.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

April 10, 1973.

SUBSTITUTE SENATE BILL NO. 2059, relating to licensing of persons who fit and dispense hearing aids (reported by Committee on Commerce):

Recommendation: That Substitute Senate Bill No. 2059 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Greive, Chairman; Francis, Herr, Lewis (Bob), Peterson (Lowell), Wanamaker, Whetzel.

Passed to Committee on Rules for second reading.

#### MOTION

At 9:50 p.m., on motion of Senator Mardesich, the Senate adjourned until 10:00 a.m., Wednesday, April 11, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-FOURTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, April 11, 1973.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Talley, Twigg and Whetzel. On motion of Senator Scott, Senator Whetzel was excused.

The Color Guard, consisting of Pages Thomas Griffin and Wendy White, presented the Colors. Reverend Bart Huizenga, pastor of Evergreen Christian Reformed Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, JESUS TAUGHT US TO CALL YOU 'OUR FATHER IN HEAVEN'. THIS MOMENT AT THE BEGINNING OF A NEW DAY IN THE SENATE OF THE STATE OF WASHINGTON, WE THANK YOU FOR THE PRIVILEGE OF CALLING YOU, THE ALMIGHTY GOD, 'OUR FATHER'. AS A FATHER LOVES AND GUIDES HIS CHILDREN, WE KNOW THAT YOU LOVE AND GUIDE YOUR CHILDREN. THE RESPONSIBILITIES OF GOVERNMENT AND LAWS ARE TOO HEAVY FOR US TO HANDLE BY OURSELVES. WE PRAY THAT YOU WILL GUIDE AND LEAD US AND, WHEN NECESSARY, PUSH US ON THE ROAD TO JUSTICE, EQUITY, PEACE AND THE COMMON GOOD. AND WE PRAY, DEAR FATHER GOD, GIVE US GRACE TO THINK AND ACT LIKE YOUR LOVING RESPONSIBLE CHILDREN. IN JESUS' NAME. AMEN."

### MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

### REPORTS OF STANDING COMMITTEES

April 11, 1973.

SENATE BILL NO. 2717, creating an organized crime intelligence unit (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 2717 be substituted therefor and the substitute bill do pass.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Durkan, Woodall.

Passed to Committee on Rules for second reading.

April 10, 1973.

SENATE BILL NO. 2854, relating to appropriation (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 2854 be substituted therefor and the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Fleming, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Newschwander, Sandison.

Passed to Committee on Rules for second reading.

April 11, 1973.

SENATE CONCURRENT RESOLUTION NO. 132, recommending a study of boating access for Puget Sound and adjacent waters (reported by Committee on Parks and Recreation):

MAJORITY recommendation: Do pass.

Signed by: Senators Knoblauch, Chairman; Canfield, Jones, Odegaard, Wanamaker, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

HOUSE BILL NO. 227, requiring public employers to allow some employees reasonable time off without loss of compensation to engage in bargaining (reported by Committee on Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Connor, Chairman; Fleming, Grant, Ridder.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Durkan, Van Hollebeke.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE BILL NO. 428, appropriating funds for the construction of the Benton-Franklin mental health and family counseling center (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

SUBSTITUTE HOUSE BILL NO. 445, prohibiting discrimination based on the presence of any sensory, mental, or physical handicap (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Keefe, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE BILL NO. 549, regulating sale and transfer of devices adapted for the use of drugs by injection (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Greive, Herr, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE BILL NO. 552, placing health care services under laws applicable to other insurance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Keefe, Murray, Woodall, Woody.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED HOUSE BILL NO. 564, providing alternate methods for petitioning a legislative body to call an annexation election (reported by Committee on Local Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis (Bob), Murray, Sellar, Walgren.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE BILL NO. 769, enabling secretary of department of social and health services to sell certain lands (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, requiring the appointment of precinct committeemen as deputy registrars (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

April 11, 1973.

HOUSE JOINT MEMORIAL NO. 21, requesting the secretary of health, education and welfare to reconsider certain regulations (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, allowing bills introduced at a session to carry over to subsequent sessions of the same legislature (reported by Committee on Constitution and Elections):

Recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Canfield, Gardner, Mattingly, Metcalf, Stortini, Washington.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE GOVERNOR

Office of the Governor, April 10, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 10, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2071: Establishing an additional justice of the peace in specified districts.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, April 10, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 10, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2293: Enlarging scope for investments under the Refunding Bond Act.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

MESSAGES FROM THE HOUSE

April 10, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 705, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 51, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2153,

SENATE BILL NO. 2326,

SUBSTITUTE SENATE BILL NO. 2365, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 685, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 617, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 10, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2025,

ENGROSSED SENATE BILL NO. 2656,

SENATE JOINT MEMORIAL NO. 102, and the same are herewith transmitted.  
DONALD R. WILSON, Assistant Chief Clerk.

April 10, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2040,  
SENATE BILL NO. 2075,  
ENGROSSED SENATE BILL NO. 2098,  
SENATE BILL NO. 2139,  
SENATE BILL NO. 2288,  
ENGROSSED SENATE BILL NO. 2453,  
SENATE BILL NO. 2515,  
ENGROSSED SENATE BILL NO. 2524, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2025,  
SENATE BILL NO. 2040,  
SENATE BILL NO. 2075,  
SENATE BILL NO. 2098,  
SENATE BILL NO. 2139,  
SENATE BILL NO. 2288,  
SENATE BILL NO. 2453,  
SENATE BILL NO. 2502,  
SENATE BILL NO. 2515,  
SENATE BILL NO. 2524,  
SENATE BILL NO. 2656,  
SENATE JOINT MEMORIAL NO. 102  
HOUSE BILL NO. 51,  
HOUSE BILL NO. 617,  
HOUSE BILL NO. 685,  
HOUSE BILL NO. 705.

SECOND READING

ENGROSSED HOUSE BILL NO. 638, by Representatives Gaspard, Pardini and Bagnariol:

Providing for the regulation of debenture companies.

REPORT OF STANDING COMMITTEE

March 27, 1973.

ENGROSSED HOUSE BILL NO. 638, providing for the regulation of debenture companies (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 1, line 32, strike "*audited*" and insert "*certified*".

On page 8, line 12, strike all of section 7 and substitute the following:

"*NEW SECTION. Sec. 7.* No debenture company shall offer for sale any security other than capital stock which would result in the violation of the following paid-in capital requirements:

(1) For outstanding securities other than capital stock totaling \$1 to \$500,000 there must be at least \$50,000 paid-in capital; said paid-in capital must be in the form of cash or comparable liquid assets as defined by rules and regulations; and



(2) For outstanding securities other than capital stock totaling \$500,001 to \$750,000 there must be at least \$75,000 paid-in capital; said paid-in capital must be in the form of cash or comparable liquid assets as defined by rules and regulations; and

(3) For outstanding securities other than capital stock totaling \$750,001 to \$1,000,000 there must be at least \$100,000 paid-in capital; said paid-in capital must be in the form of cash or comparable liquid assets as defined by rules and regulations.

In addition to the requirements set forth in subsections (1), (2), and (3) of this section, to the extent that a debenture company has outstanding securities other than capital stock totaling in excess of \$1,000,000, the debenture company's paid-in capital, equity reserves, and undivided profits shall be at least five percent of the outstanding securities in excess of \$1,000,000, but not over \$10,000,000, and two and one-half percent additional paid-in capital, equity reserves, and undivided profits for all securities in excess of \$10,000,000: PROVIDED, That the director may for good cause in the interest of the existing investors, waive this requirement: PROVIDED FURTHER, That if the director waives the minimum requirements set forth in this section, any debenture company taking advantage of this waiver shall set aside into its equity reserves and undivided profits, at least five percent of the net earnings of each year, until such time as they can meet the requirements without waiver from the director."

On page 10, section 9, following line 17, insert a new subsection as follows:

"(3) The provisions of this section shall not operate to prohibit or require modification of the terms of any management services contract or agreement in effect on January 1, 1973 between any debenture company registered pursuant to chapter 21.20 RCW on January 1, 1973, and any affiliated person, firm or corporation, so long as such debenture company does not pay any salaries or wages to its directors, officers or employees and the terms of such management services contract remain in effect without modification except when approval has been given by the director of the department of motor vehicles or his administrator of securities upon recommendation by the company's board of directors."

On page 12, section 12, line 32, after "person" strike all the matter down to and including "he" on line 33.

Signed by: Senators Dore, Chairman; Clarke, Jones, Newschwander, Walgren.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendment to page 5, section 1, line 32 was adopted.

On motion of Senator Dore, the remaining committee amendments were adopted.

On motion of Senator Dore, Engrossed House Bill No. 638 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 638, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-43.

Absent or not voting: Senators Fleming, Grant, Scott, Talley, Twigg-5.

Excused: Senator Whetzel-1.

ENGROSSED HOUSE BILL NO. 638, 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 Senator Mardesich, the following Senate bills were ordered placed at the end of today's second reading calendar: 2762, 2134 and 2046.

## SECOND READING

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, by Representative Savage:

Allowing bills introduced at a session to carry over to subsequent sessions of the same legislature.

The Senate resumed consideration of Engrossed House Joint Resolution No. 6, the resolution having been read in full on April 7, 1973.

## MOTION

On motion of Senator Grant, Engrossed House Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Grant yield to a question? Senator Grant, did you have a hearing on this bill in your committee?"

Senator Grant: "No, Senator Lewis, we did not. This was put on the calendar immediately after it passed the House. It is something that we have considered as a legislature time and time again, however."

## MOTIONS

On motion of Senator Grant, Engrossed House Joint Resolution No. 6 was referred to the Committee on Constitution and Elections.

On motion of Senator Mardesich, the Senate immediately commenced consideration of Substitute House Bill No. 53.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 53, by Committee on Ways and Means—Revenue (originally sponsored by Representatives Flanagan, Haussler, Newhouse, Van Dyk, Benitz, North (Lois), Amen, Curtis, Garrett, Hayner, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman) (by Permanent Property Tax Committee request):

Making certain amendments to the open space lands taxation laws.

## REPORT OF STANDING COMMITTEE

April 2, 1973.

SUBSTITUTE HOUSE BILL NO. 53, making certain amendments to the open space lands taxation laws (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13, after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010 are each amended to read as follows:

The legislature hereby declares that it is in the best interest of the state to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural

resources and scenic beauty for the economic and social well-being of the state and its citizens. The legislature further declares that assessment practices must be so designed as to permit the continued availability of open space lands for these purposes, and it is the intent of this chapter so to provide. *The legislature further declares its intent that farm and agricultural lands shall be valued on the basis of their value for use as authorized by section 11 of Article VII of the Constitution of the state of Washington.*

Sec. 2. Section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020 are each amended to read as follows:

As used in this chapter, unless a different meaning is required by the context:

(1) "Open space land" means (a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly or (b) any land area, the preservation of which in its present use would (i) conserve and enhance natural or scenic resources, or (ii) protect streams or water supply, (iii) promote conservation of soils, wetlands, beaches or tidal marshes, or (iv) enhance the value to the public or abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, or (v) enhance recreation opportunities, or (vi) preserve historic sites, or (vii) retain in its natural state tracts of land not less than five acres situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification.

(2) "Farm and agricultural land" means either (a) land in any contiguous ownership of twenty or more acres devoted primarily to [agricultural uses] *the production of livestock or agricultural commodities for commercial purposes*; (b) any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter; or (c) any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products. Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands".

(3) "Timber land" means land in any contiguous ownership of twenty or more acres which is devoted primarily to the growth and harvest of forest crops and which is not classified as reforestation land pursuant to chapter 84.28 RCW, or as land classified for deferred taxation under chapter 84.32 RCW. Timber land means the land only.

(4) "Current" or "currently" means as of the date on which property is to be listed and valued by the county assessor.

(5) "Owner" means the party or parties having the fee interest in land, except that where land is subject to real estate contract "owner" shall mean the contract vendee.

(6) "*Contiguous*" means *land adjoining and touching other property held by the same ownership. Land divided by a public road, but otherwise an integral part of a farming operation, shall be considered contiguous.*

Sec. 3. Section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030 are each amended to read as follows:

An owner of *agricultural* land desiring current use [assessment] *classification* under *subsection (2) of section 2 of this [chapter] 1973 amendatory act* shall make application to the county assessor upon forms prepared by the state department of revenue and supplied by the county assessor. The application shall be accompanied by a reasonable processing fee if such processing fee is established by the city or county legislative authority *but that such fee may not exceed thirty dollars for each application: PROVIDED, That if the application is not approved, then the application fee shall be returned to the applicant. An owner of open space or timber land desiring current use classification under subsections (1) and (3) of*

*section 2 of this 1973 amendatory act shall make application to the county legislative authority upon forms prepared by the state department of revenue and supplied by the county assessor. Said application shall require only such information reasonably necessary to properly classify an area of land under this [chapter] 1973 amendatory act with a notarized verification of the truth thereof and shall include a statement that the applicant is aware of the potential tax liability involved when such land ceases to be designated as open space, farm and agricultural or timber land. Applications must be made [prior to December 31, 1970 for classification to begin in the assessment year commencing January 1, 1971, and thereafter applications to the county assessor shall be made] during the [first four calendar months of the] calendar year preceding that in which such classification is to begin [ : PROVIDED, That no application may be made under RCW 84.34.020(1)(a) until after December 31, 1971]. The assessor shall make necessary information, including copies of this chapter and applicable regulations, readily available to interested parties, and shall render reasonable assistance to such parties upon request.*

**NEW SECTION.** Sec. 4. There is added to chapter 84.34 RCW a new section to read as follows:

The assessor shall act upon the application for current use classification of farm and agricultural lands under subsection (2) of section 2 of this 1973 amendatory act, with due regard to all relevant evidence. The application shall be deemed to have been approved unless, prior to the first day of May of the year after such application was mailed or delivered to the assessor, he shall notify the applicant in writing of the extent to which the application is denied. An owner who receives notice that his application has been denied may appeal such denial to the county board of equalization. Within ten days following approval of the application, the assessor shall submit notification of such approval to the county auditor for recording in the place and manner provided for the public recording of state tax liens on real property.

The assessor shall, as to any such land, make a notation each year on the assessment list and the tax roll of the assessed value of such land for the use for which it is classified in addition to the assessed value of such land were it not so classified.

The assessor shall also file notice of both such values with the county treasurer, who shall record such notice in the place and manner provided for recording delinquent taxes.

**NEW SECTION.** Sec. 5. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

Applications for classification under section 2 subsection (1) or (3) of this 1973 amendatory act shall be made to the county legislative authority. An application made for classification of land under section 2 subsection (1)(b), or (3) of this 1973 amendatory act which is in an area subject to a comprehensive plan shall be acted upon in the same manner in which an amendment to the comprehensive plan is processed. Application made for classification of land which is in an area not subject to a comprehensive plan shall be acted upon after a public hearing and after notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing: PROVIDED, That applications for classification of land in an incorporated area shall be acted upon by a determining authority composed of three members of the county legislative body and three members of the city legislative body in which the land is located.

In determining whether an application made for classification under section 2, subsection (1)(b), or (3) of this 1973 amendatory act should be approved or disapproved, the granting authority may take cognizance of the benefits to the general welfare of preserving the current use of the property which is the subject of application, and may consider whether or not preservation of current use of the land will (1) conserve or enhance natural or scenic resources, (2) protect streams or water supplies, (3) promote conservation of soils, wetlands, beaches or tidal marshes, (4) enhance the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces, (5) enhance recreation opportunities, (6) preserve historic sites, (7) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the property against the potential loss in revenue which may result from granting the application: PROVIDED, That the granting authority may approve the application with respect to only part of the land which is the subject of the application: PROVIDED

FURTHER, That if any part of the application is denied, the applicant may withdraw the entire application: AND PROVIDED FURTHER, That the granting authority in approving in part or whole an application for land classified pursuant to section 2(1) or (3) of this 1973 amendatory act may also require that certain conditions be met, including but not limited to the granting of easements: AND PROVIDED FURTHER, That the granting or denial of the application for current use classification is a legislative determination and shall be reviewable only for arbitrary and capricious actions.

Sec. 6. Section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050 are each amended to read as follows:

(1) The granting authority shall immediately notify the county assessor and the applicant of its approval or disapproval which shall in no event be more than six months from the receipt of said application. No land *other than farm and agricultural land* shall be considered qualified under this chapter until an application in regard thereto has been approved by the appropriate legislative authority.

(2) When the granting authority finds that land qualifies under this chapter, it shall file notice of the same with the assessor within ten days. The assessor shall, as to any such land, make a notation each year on the assessment list and the tax roll of the assessed value of such land for the use for which it is classified in addition to the assessed value of such land were it not so classified.

(3) Within ten days following receipt of the notice from the granting authority that such land qualifies under this chapter, the assessor shall submit such notice to the county auditor for recording in the place and manner provided for the public recording of state tax liens on real property.

(4) The assessor shall also file notice of both such value with the county treasurer, who shall record such notice in the place and manner provided for recording delinquent taxes.

Sec. 7. Section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060 are each amended to read as follows:

In determining the true and fair value of open space land [, farm and agriculture land,] and timber land, which has been classified as such under the provisions of this chapter, the assessor shall consider only the use to which such property and improvements is currently applied and shall not consider potential uses of such property. The assessor shall compute the assessed value of such property by using the same assessment ratio which he applies generally in computing the assessed value of other property: PROVIDED, That the assessed valuation of open space land with no current use shall not be less than that which would result if it were to be assessed for agricultural uses.

Sec. 8. Section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070 are each amended to read as follows:

When land *other than farm and agricultural land* has once been classified under this chapter, it shall remain under such classification and shall not be applied to other use for at least ten years from the date of classification and shall continue under such classification until and unless withdrawn from classification after notice of request for withdrawal shall be made by the owner. During any year after [seven] *eight* years of the initial ten-year classification period have elapsed, notice of request for withdrawal *of all or a portion of the land*, which shall be irrevocable, may be given by the owner to the county assessor or assessors of the county or counties in which such land is situated. *In the event that a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when such land was originally granted classification pursuant to this chapter.* Within seven days the county assessor shall transmit one copy of such notice to the legislative body which originally approved the application. The county assessor or assessors, as the case may be, shall, when [three] *two* assessment years have elapsed following the date of receipt of such notice, withdraw such land from such classification [: PROVIDED, That the county treasurer shall impose and collect upon the property for the seven years last past an amount which would be the difference between the property tax paid as "open space land", "farm and agricultural land", or "timber land" and the amount of property tax otherwise due and payable had the land not been so classified, and the owner shall be liable therefor, and the same may be collected, as in the case of any

other property taxes levied against the land: PROVIDED FURTHER, That the county treasurer shall impose and collect interest upon the amounts of such additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which such additional tax could have been paid without penalty each year if the land had been assessed at a value computed without regard to this chapter] *and the land shall be subject to the additional tax due under section 13 of this 1973 amendatory act*: PROVIDED, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the [state] legislature in which event no *additional tax or penalty* shall be imposed.

**NEW SECTION.** Sec. 9. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

When farm and agricultural land has once been classified under this chapter, it shall remain under such classification and shall not be applied to other uses unless withdrawn from classification after notice of request for withdrawal shall be made by the owner. Notice of request for withdrawal of all or a portion of such land, which shall be irrevocable, may be given by the owner to the county assessor or assessors of the county or counties in which such land is situated. In the event that a portion of the land is removed from classification, the remaining portion must meet all applicable requirements of section 2 (2) of this 1973 amendatory act. The county assessor or assessors, as the case may be, shall withdraw such land from such classification and the land shall be subject to the additional tax due under section 13 of this 1973 amendatory act: PROVIDED, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the state in which event no additional tax or penalty shall be imposed.

Sec. 10. Section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080 are each amended to read as follows:

When land which has been [assessed] *classified* under this chapter as open space land [, farm and agricultural land,] or timber land is applied to some other use, except through compliance with RCW 84.34.070, or except as a result [of the exercise of the power of eminent domain, or except as a result of a sale to a public body] *solely from any one of the conditions listed in section 13 (5) of this 1973 amendatory act*, the owner shall within sixty days notify the county assessor of such change in use and additional real property tax shall be imposed upon such land in an amount equal to the sum of the following:

(1) The total amount [, if any, which would be the difference between the property tax paid as "open space land", "farm and agricultural land", or "timber land", and the property tax otherwise due and payable had the land not been so classified during a maximum of twenty years for timber land, or fourteen years for other land preceding the year in which the assessor extends such additional tax on the tax roll] *of the additional tax due under section 13 of this 1973 amendatory act*; plus

(2) A penalty amounting to twenty percent of the amount determined in subsection (1) of this section [; plus].

[(3) Interest upon the amounts of such additional tax and penalty until paid at the same statutory rate charged on delinquent property taxes from the dates on which such additional tax could have been paid without penalty each year if the land had been assessed at a value computed without regard to this chapter.

(4) The provisions of subsections (1), (2) and (3) of this section shall not apply in the event that the change in use results from the sale of land classified under this chapter within two years after the death of the owner of at least fifty percent of such land.]

**NEW SECTION.** Sec. 11. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

The true and fair value of farm and agricultural land shall be determined by consideration of the earning or productive capacity of comparable lands from crops grown most typically in the area averaged over not less than five years, capitalized at indicative rates. The earning or productive capacity of farm and agricultural lands shall be the "net cash rental", capitalized at a "rate of interest" charged on long term loans secured by a mortgage on farm or agricultural land plus a component for property taxes.

For the purposes of the above computation:

(1) The term "net cash rental" shall mean the average rental paid on an annual basis,

in cash or its equivalent, for the land being appraised and other farm and agricultural land of similar quality and similarly situated that is available for lease for a period of at least three years to any reliable person without unreasonable restrictions on its use for production of agricultural crops. There shall be allowed as a deduction from the rental received or computed any costs of crop production charged against the landlord if the costs are such as are customarily paid by a landlord. If "net cash rental" data is not available, the earning or productive capacity of farm and agricultural lands shall be determined by the cash value of typical or usual crops grown on land of similar quality and similarly situated averaged over not less than five years. Standard costs of production shall be allowed as a deduction from the cash value of the crops.

The current "net cash rental" or "earning capacity" shall be determined by the assessor with the advice of the advisory committee as provided in section 12 of this 1973 amendatory act, and through a continuing study within his office, assisted by studies of the department of revenue. This net cash rental figure as it applies to any farm and agricultural land may be challenged before the same boards or authorities as would be the case with regard to assessed values on general property.

(2) The term "rate of interest" shall mean the rate of interest charged by the farm credit administration and other large financial institutions regularly making loans secured by farm and agricultural lands through mortgages or similar legal instruments, averaged over the immediate past five years.

The "rate of interest" shall be determined annually by the revenue department of the state of Washington with the advice of the state advisory committee as provided in section 12 of this 1973 amendatory act, and such determination shall be published not later than January 1 of each year for use in that assessment year. The determination of the revenue department may be appealed to the state board of tax appeals by any owner of farm or agricultural land or the assessor of any county containing farm and agricultural land.

(3) The "component for property taxes" shall be a percentage equal to the estimated millage rate times the legal assessment's ratio.

**NEW SECTION.** Sec. 12. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

The county legislative authority shall appoint a five member committee representing the active farming community within the county to serve in an advisory capacity to the county assessor in implementing assessment guidelines as established by the department of revenue for the assessment of open space, farms and agricultural lands, and timber lands classified pursuant to this 1973 amendatory act.

A state advisory committee consisting of the director of the department of revenue or his designated representative, one member of the senate appointed by the president of the senate, and one member of the house appointed by the speaker of the house, and three members from the agricultural business community appointed by the agriculture commodity council shall serve in an advisory capacity to the state department of revenue as provided in sections 11 and 18 of this 1973 amendatory act.

**NEW SECTION.** Sec. 13. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

(1) When land has once been classified under this 1973 amendatory act, a notation of such designation shall be made each year upon the assessment and tax rolls and such land shall be valued pursuant to sections 7 or 11 of this 1973 amendatory act until removal of all or a portion of such designation by the assessor upon occurrence of any of the following:

- (a) Receipt of notice from the owner to remove all or a portion of such designation;
- (b) Passage of sixty days following the sale or transfer of all or a portion of such land to a new owner without receipt of a notice of compliance from the new owner. Notice of compliance forms shall be prepared by the state department of revenue and supplied by the county assessor. Said notice shall contain a statement that the new owner is aware of the use classification of the land and of the potential tax liability involved when such land ceases to be designated as open space, farm and agricultural or timber land;
- (c) Sale or transfer to an ownership making all or a portion of such land exempt from ad valorem taxation;
- (d) Determination by the assessor, after giving the owner written notice and an

opportunity to be heard, that all or a portion of such land is no longer primarily devoted to and used for the purposes under which it was granted classification.

(2) Within thirty days after such removal of all or a portion of such land from current use classification, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The owner may appeal such removal to the county board of equalization.

(3) Unless the removal is reversed on appeal, the assessor shall revalue the affected land with reference to full market value on the date of removal from classification. Both the assessed valuation before and after the removal of classification shall be listed and taxes shall be allocated according to that part of the year to which each assessed valuation applies. Except as provided in subsection (5) of this section, an additional tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. The assessor shall compute the amount of such an additional tax and the treasurer shall mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such additional tax shall be equal to:

(a) The difference between the property tax paid as "open space land", "farm and agricultural land", or "timber land" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified; plus

(b) Interest upon the amounts of such additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which such additional tax could have been paid without penalty if the land had been assessed at a value without regard to this chapter.

(4) Any additional tax unpaid on its due date shall thereupon become delinquent and together with applicable interest thereon, shall as of said date become a lien on such land which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050 now or as hereafter amended. From the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(5) The additional tax specified in subsection (3) of this section shall not be imposed if the removal of designation pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

(d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.

(e) Official action by an agency of the state of Washington or by the county or city within which the land is located which disallows the present use of such land.

(f) Transfer to a church and such land would qualify for property tax exemption pursuant to RCW 84.36.020.

**NEW SECTION.** Sec. 14. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

The owner of any land as to which additional tax is imposed as provided in this 1973 amendatory act shall have with respect to valuation of the land and imposition of the additional tax all remedies provided by Title 84 RCW.

**NEW SECTION.** Sec. 15. The assessor may require owners of land classified under this chapter to submit pertinent data regarding the use of the land, productivity of typical crops, and such similar information pertinent to continued classification and appraisal of the land.

**NEW SECTION.** Sec. 16. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

Land classified under the provisions of chapter 84.34 RCW prior to the effective date of this 1973 amendatory act which meets the definition of farm and agricultural land under



the provisions of this 1973 amendatory act, upon request for such change made by the owner to the county assessor, shall be reclassified by the county assessor under the provisions of this 1973 amendatory act. This change in classification shall be made without additional tax, penalty, or other requirements: PROVIDED, That subsequent to such reclassification, the land shall be fully subject to the provisions of chapter 84.34 RCW, as now or hereafter amended.

*NEW SECTION.* Sec. 17. Nothing in this 1973 amendatory act shall be construed as in any manner affecting the method for valuation of timber standing on timber land which has been classified under the provisions of this 1973 amendatory act.

*NEW SECTION.* Sec. 18. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

The department of revenue of the state of Washington shall make such rules and regulations with the advice of the state advisory committee as provided in section 12 of this 1973 amendatory act consistent with the provisions of this 1973 amendatory act as shall be necessary or desirable to permit its effective administration.

*NEW SECTION.* Sec. 19. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

The department of revenue and each local assessor is hereby directed to publicize the qualifications and manner of making applications for current use classification. Whenever possible notice of the qualifications, method of making applications, and availability of further information on current use classification shall be included with the second half property tax statements for 1973, and thereafter, shall be included with every notice of change in valuation of unplatted lands.

*NEW SECTION.* Sec. 20. There is added to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW a new section to read as follows:

Land classified under the provisions of chapter 84.34 RCW as timber land which meets the definition of forest land under the provisions of chapter 84.33 RCW, upon request for such change made by the owner to the county assessor, shall be reclassified by the county assessor under the provisions of chapter 84.33 RCW. This change in classification shall be made without additional tax, penalty, or other requirements set forth in chapter 84.34 RCW: PROVIDED, That subsequent to such reclassification, the land shall be fully subject to the provisions of chapter 84.33 RCW, as now or hereafter amended.

*NEW SECTION.* Sec. 21. If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*NEW SECTION.* Sec. 22. The following acts or parts of acts are each hereby repealed:

- (1) Section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040;
- (2) Section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110;
- (3) Section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120;
- (4) Section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; and
- (5) Section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140."

On line 1 of the title after "property;" strike the remainder of the title and insert the following:

"amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; adding new sections to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; repealing section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110; repealing section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120; repealing section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; and repealing section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140."

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Lewis (Harry), Marsh, Ridder, Sandison, Scott.

The bill was read the second time by sections.

Senator Donohue moved adoption of the committee amendment.

On motion of Senator Talley, the following amendment to the committee amendment was adopted:

On page 2, section 2, line 31 of the amendment strike "twenty" and insert "[twenty five]".

On motion of Senator Donohue, the following amendments to the committee amendment were adopted:

On page 3, section 3, line 18, after "assessor," and before "The" insert "*An owner of open space or timber land desiring current use classification under subsections (1) and (3) of section 2 of this 1973 amendatory act shall make application to the county legislative authority upon forms prepared by the state department of revenue and supplied by the county assessor.*"

On page 3, section 3, line 23, after "applicant." strike all of the matter down to and including "assessor." on line 28.

Senator Donohue moved adoption of the following amendments to the committee amendment:

On page 7, section 8, line 17, after "land" and before "has" strike "*other than farm and agricultural land*".

On page 8, beginning on line 21, strike all of section 9.

Renumber the remaining sections consecutively and change cross references accordingly.

On page 9, section 10, line 10, after "land" and before "or" strike "[, farm and agricultural land,]" and insert ", farm and agricultural land,".

Debate ensued.

#### POINT OF INQUIRY

Senator Metcalf: "Would Senator Donohue yield to a question? I am very much in favor of this bill and the concept but you mentioned that presently it would lose, I think you said roughly six million dollars, but with your last three amendments which we are really debating, the loss would be much less. By these amendments, who will not be able to get the tax break under this bill?"

Senator Donohue: "Senator, the rollback provision that we put back in here, that is the thing that we are talking about and this is the thing that has been bandied around for quite awhile. The important thing, I think, is that when we speak about a decrease in ad valorem property taxes that we are presently paying, you have to remember, that we are speaking about a decrease of anticipated revenue. The steady increase of property taxes. This is the main reason for the decline."

Senator Metcalf: "Okay. One other question. Does this bill in its present form now help the small person, the retired person living on the outskirts of Lynnwood who has an eight-acre place that he has and he is renting out for horse pasture, maybe at five dollars a month?"

Senator Donohue: "With Senator Talley's amendment, yes, this is true."

Senator Metcalf: "Then Senator Talley's amendment applies to more than just timber?"

Senator Donohue: "This is primarily for timber. The present open space law says that you have to have six acres producing a thousand dollars an acre or twenty acres producing five hundred dollars an acre. We have not changed that. That is the present law."

Senator Metcalf: "So we are really not helping the person with the eight acres that he is renting out for horse pasture just for a minor amount?"

Senator Donohue, "No, Senator, it does not."

Senator Metcalf: "Maybe next year. I keep asking every year. Maybe next year we will start helping the vast majority of people who are interested in this green belt type concept. I urge you to vote for the amendment, for the bill, but it is only again another step. This is a long way from being the kind of thing we really need."

## POINT OF INQUIRY

Senator Rasmussen: "Mr. President and members of the Senate, I would like to ask some one of the sponsors of this what this does for the little homeowner who is primarily interested in raising kids and has a back yard garden, what it does for him that he is able to hold his home and receive reduced taxes? Now I am not against the concept of retaining agricultural land and I think, as Senator Metcalf asked, if Senator Talley's amendment only provided five acres solely devoted to timber it would not take care of anything else. But that little homeowner who is finding it very hard to raise his crop of kids and he has an agriculture patch out in the back of his house because he is finding it very difficult to buy the food at these high prices, as far as I can read this bill it does not do one thing for him. Now if some sponsor would tell me that I would be much happier in voting for this measure. Now I know that up in the Ways and Means Committee there is a bill proposed that would allow a ten thousand dollar exemption of taxes for the first ten thousand. That would help the little homeowner, but I have not seen that come out of the Ways and Means Committee yet. The people apparently for whom we are going to do the most helping are the large timber growers and the large agricultural producers. So with that I will sit down and expect some answers."

Senator Donohue: "Senator, number one, the home that is on land today that is open space or land that is being used for agricultural use is not exempt under this. As you know, several days ago we did pass through this Senate a tax reform measure. This is the area that would help the people you are talking about by reducing special levies, by reducing the dollars that you say are needed for this individual to raise that family. And as you know, it is languishing in the House. We have done our part here in that area. We have sent them a measure that should go to the people that would help do exactly what you are talking about. I think probably the most important thing about this particular bill is that it brings all of industry and all of business under the same type of assessment. This is an assessment method only. It is nothing else. And I agree with you. We need to do something for those people, those low income people who are living in a ten thousand dollar home. And we are trying to do something for them. We have a proposal that we are going to present in the next day or two that is going to help that situation, and that is a proposal for some special levy relief, for some homeowner relief. For the first time in many years we, our caucus, and I think many on the other side of the aisle are very interested in doing something for these people. So we are thinking about all these areas and I think before we get through, and this is an advantage of being able to run these committees and study these things and come back here in September and do a job, and I agree with you. We need to do something."

Debate ensued.

The motion by Senator Donohue carried and the amendments to the committee amendment were adopted.

The motion by Senator Donohue carried and the committee amendment, as amended, was adopted.

On motion of Senator Donohue, the committee amendment to the title was adopted.

On motion of Senator Donohue, Substitute House Bill No. 53, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 53, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 8; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Talley, Twigg, Walgren, Wanamaker, Washington, Woodall, Woody—39.

Voting nay: Senators Francis, Grant, Jones, Mardesich, Murray, Peterson (Ted), Scott, Van Hollebeke—8.

Absent or not voting—Senator Stortini—1.

Excused: Senator Whetzel—1.

SUBSTITUTE HOUSE BILL NO. 53, 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 Senator Sandison, the Senate commenced consideration of Senate Bill No. 2669 on second reading.

#### SECOND READING

SENATE BILL NO. 2669, by Senators Van Hollebeke, Marsh, Gardner, Whetzel, Greive and Knoblauch:

Relating to unemployment compensation and requiring employing units to report refusal of offers of reemployment.

The Senate resumed consideration of Senate Bill No. 2669. On Tuesday, April 10, 1973, Senator Mardesich had moved adoption of an amendment to page 1, section 1, line 9. There being no objection, Senator Mardesich withdrew his pending amendment.

Senator Canfield moved adoption of the following amendment:

In section 1, line 8, after "offer of" strike "reemployment" and insert "suitable employment".

Debate ensued.

The motion by Senator Canfield failed and the amendment was not adopted.

On motion of Senator Lewis (Bob), the following amendment was adopted:

On page 1, beginning on line 8, delete all of the material after "reemployment" down to and including "elsewhere" on line 10.

On motion of Senator Canfield, the following amendment was adopted:

On page 1, section 1, line 12, strike "five" and insert "ten".

Senator Canfield moved adoption of the following amendment:

On page 1, line 15, add the following:

"It shall likewise be unlawful and shall constitute a misdemeanor for any individual, his agent or representative or an officer or member of his union to threaten or take retaliatory action against an employing unit or agent thereof for reporting said individual in accordance with the provisions of this section."

#### POINT OF INQUIRY

Senator Grant: "Would Senator Canfield yield to a question? Senator Canfield, would you explain the amendment again? I do not quite understand what you are trying to get at."

Senator Canfield: "You will notice, Senator Grant, that on lines 13 to 15, failure on the part of the employing unit to comply with this section is a misdemeanor. The amendment says that it shall likewise be unlawful for any individual, his agent or representative or an officer or a member of his union to threaten retaliatory action against an employer or his agent for reporting said individual in accordance with the provisions of this section. It simply makes it a two-way street, Senator. I think this will really improve the bill. It makes it a fair bill both ways."

The motion by Senator Canfield carried and the amendment was adopted.

On motion of Senator Van Hollebeke, Engrossed Senate Bill No. 2669 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Dore: "May I ask one question? I notice in the morning paper that the superior court judge ruled that pregnant women cannot be deprived of unemployment compensation and I wonder under the bill here how the mechanics of this would work. They have notified and have offered them a job, but would you not have to inquire whether or not they are pregnant to be deprived of the benefits of your bill?"

Senator Van Hollebeke: "I am not much of an expert on pregnancy, Senator Dore. I suppose I should be, shouldn't I? The idea is that this raises a red flag. The department finds out that this person has been offered employment, then they have got to go through the other and find out whether the other conditions are met. And if a woman's pregnancy was found to be so far advanced that she could not work, then the refusal would be considered valid and it would be okay."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2669, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Voting nay: Senators Fleming, Grant—2.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2669, having received the 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

At 11:40 a.m., on motion of Senator Sandison, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 10, 1973.

Mr. President: The House has passed SENATE BILL NO. 2084, with the following amendments:

On page 1, section 1, line 16, after "judge" strike "*involuntarily terminated from service*".

On page 1, section 1, line 17, after "served" strike "*in excess of ten years*" and insert "*not less than eight consecutive years*".

On page 1, section 1, lines 20 and 21, after "therein" strike "*after January 1, 1973*".

On page 1, section 1, line 21, after "judge" insert "*shall not have reclaimed any prior payments made under RCW 2.12.060 and*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Francis, the Senate concurred in the House amendments to Senate Bill No. 2084.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2084, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 27; nays, 14; absent or not voting, 7; excused, 1.

Voting yea: Senators Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Mattingly, Peterson (Ted), Sandison, Stortini, Twigg, Walgren, Woodall, Woody—27.

Voting nay: Senators Canfield, Durkan, Guess, Lewis (Harry), Lewis (Bob), Metcalf, Newschwander, Odegaard, Ridder, Scott, Sellar, Van Hollebeke, Wanmaker, Washington—14.

Absent or not voting: Senators Atwood, Greive, Jones, Murray, Peterson (Lowell), Rasmussen, Talley—7.

Excused: Senator Whetzel—1.

SENATE BILL NO. 2084, 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 HOUSE

April 9, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, with the following amendments:

On page 1, section 1, line 4, after "through" strike "43 and 45" and insert "42 and 46".

On page 3, section 4, line 1, after "religious," insert "educational, recreational,"

On page 3, section 4, line 5, after "purchase" strike ", bona fide option to purchase,"

On page 4, section 6, line 25, after "Provide" insert the word "reasonably".

On page 5, section 6, line 22 after "repair." insert "When the duty imposed by subsection (1) of this section is incompatible with and greater than the duty imposed by any other provisions of this section, the landlord's duty shall be determined pursuant to subsection (1) of this section."

On page 6, section 7, line 1, after "where the" strike all material down to and including "condition" on line 3 and insert "defective condition deprives the tenant of water or heat or".

On page 6, section 7, lines 4 and 5, after "where the" strike "landlord fails to provide" and insert "defective condition deprives the tenant of".

On page 6, section 8, line 20, after "chapter" insert ", except those remedies arising from failure of the landlord to timely commence action as required under subsections (1) and (2) of section 7 of this amendatory act".

On page 10, section 13, line 11, after "agreement," insert "or as otherwise provided by law".

On page 13, section 19, line 13, after "nonconformance." insert "Said notice shall expire after sixty days unless the landlord pursues any remedy under this act."

On page 13, section 23, line 33 after "act" strike "and".

On page 14, section 23, line 5, after "or" insert a new subsection as follows:

"(b) Authorizes any person to confess judgment on a claim arising out of the rental agreement; or".

Redesignate the remaining subsections alphabetically.

On page 14, section 23, line 11 strike "And" insert "That the tenant and".

On page 15, section 24, line 17, after "include" insert "but not be limited to".

On page 15, section 24, line 21, after "tenant" strike all material down to and including "act" on line 23.

On page 18, section 31, line 28, after "tenant" strike all material down to and including "unit" on line 29 and insert "defaults in the payment of rent".

On page 20, section 33, line 26, after "act" strike all material down to and including

"arbitrator." on line 28, and insert "the parties shall promptly agree to an arbitrator who shall administer the arbitration process. If the parties cannot agree within seven days, either party may have an arbitrator designated by the court as provided in RCW 7.04.050 or by an appropriate office of the American Arbitration Association."

On page 22, section 35, line 10, after "process." strike the remainder of the section.

On page 24, section 39, line 26, after "trial" insert "within thirty days".

On page 24, section 39, at the beginning of line 27, strike "in the usual manner".

On page 25, section 39, beginning on line 1, after "proper" insert a period and strike the remainder of the section.

On page 26, beginning on line 31, strike all of section 43 and renumber the remaining sections consecutively.

On page 27, section 47 renumbered section 46, line 21, after "act" insert a period and strike the remainder of the section, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Bottiger moved that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 2226 with the exception of the following:

On page 3, section 4, line 5; page 6, section 7, lines 4 and 5; page 6, section 8, line 20; page 13, section 23, line 33; page 14, section 23, line 11; page 15, section 24, line 21; page 20, section 33, line 26; and page 26, beginning on line 31 striking all of section 43 and renumbering the remaining sections consecutively, and asks the House to recede therefrom.

Debate ensued.

#### POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Bottiger yield? Senator Bottiger, I think we are pretty much in agreement with the objectives that you have outlined. My question has to do with the amendment on page 5, section 6, the subsection requiring substantial compliance with the governmental code and that the code would prevail. We would like to not concur with that amendment. On page 5, section 6, line 22, reading 'When the duty imposed by subsection (1) of this section is incompatible with and greater than the duty imposed by any other provisions of this section, then the landlord's duty shall be determined pursuant to subsection (1) of this section.' Would you object to separating that one item out, Senator Bottiger?"

Senator Bottiger: "Senator Lewis, I understand that that is not a caucus position."

Senator Lewis (Harry): "Oh, I see. It is not on your caucus's part, a position?"

Senator Bottiger: "No, it is not our caucus position, that is correct."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Bottiger yield? For purposes of legislative intent in the record, could you tell me whether or not the intent of the House amendment would cause a person to have to bring a place up to current code as opposed to any other sections in this bill?"

Senator Bottiger: "It is not my understanding of the House intent nor my intent that this would require a homeowner to bring his premises up to current code. Most codes are written for installation and usually as a new code is passed they grandfather in existing premises so that every time we pass a code you do not have to go back and wire your house. Codes are written, however, for installation and not maintenance. The landlord-tenant act refers to maintenance of premises and not to construction so the House amendment, as I read it, and at least my intent would be that if a particular premise needs maintenance, when you maintain it you bring it up to the code that was in effect when it was built and not necessarily to existing codes. I think it would be an atrocious thing if you had to bring everything up, every time a light switch burned out you had to bring the whole house up to existing code."

## POINT OF INQUIRY

Senator Rasmussen: "Would Senator Bottiger yield to a further question? Senator Bottiger, you stated it was not the intent of this section of the law to require a home or a building to be brought up to the present existing code. Is that correct?"

Senator Bottiger: "That is correct, Senator Rasmussen."

Senator Rasmussen: "Then, Senator Bottiger, what would you do in the event that this particular building was in an urban renewal area and where the lack of having it up to the current code would be declared a blighted area or a blighted home or building? Now let me give you an example. For instance, under the urban renewal if you do not have a landing area prior to the stairway down into the basement, if your stairs go right down to the basement when you open the door, that is not approved under the urban renewal code. This would make the area blighted. And there are numerous other instances under the urban renewal law. Now that would not require you to bring it up to the code but it would declare your place as blighted and you could have it then be torn down because of the blight."

Senator Bottiger: "Senator Rasmussen, this bill does not have anything to do with urban renewal or blighted areas. If I could use an example, if your hot water heater went out and it required the installation of a new hot water heater, when you hooked it up you would have to comply with existing code as to the hook-up. For example, twenty years ago they did not require grounding wires. Now you have to run a third wire and attach it to the pipe. You would have to do it in accordance with repair codes. But we are not talking anything about blighted areas or urban renewal in this bill."

Senator Rasmussen: "This law would apply, urban renewal is being extended to complete cities. This law would apply to every building within that city then as a landlord and tenant law and would require it to bring it up to the code so it would not be declared blighted any more. This is my contention."

Senator Bottiger: "Senator, I just cannot agree with you. It is not my intent or the intent of anybody else I have talked to here that this bill in any way apply to urban renewal or blighted areas. That is an entirely different subject."

The motion by Senator Bottiger carried and the Senate concurred in certain of the House amendments and refused to concur in others and asks the House to recede therefrom.

The Senate resumed consideration of the House message on Engrossed Senate Bill No. 2306 and the following House amendments thereto which were considered on Tuesday, April 11, 1973:

On page 1, section 1, beginning on line 8, after "county may" strike all the material down to and including "county," on line 9.

On page 1, section 1, line 19 after "writing" insert "and shall provide that the amount of compensation of any such contracting attorneys shall not exceed, in any one calendar year, the salary of the prosecuting attorney".

## MOTIONS

Senator Woody moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2306.

Senator Talley moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 2306.

Debate ensued.

## PARLIAMENTARY INQUIRY

Senator Woody: "I believe that a motion to concur takes precedence over a motion to not concur."

## REPLY BY THE PRESIDENT

The President: "That is correct, Senator Woody."



## POINT OF INQUIRY

Senator Van Hollebeke: "Don Brockett, the prosecuting attorney for Spokane County, and I graduated from law school together and he has contacted me on this bill. He is concerned about that second amendment. We had an amendment on it that said it could be done with the prosecutor's consent and then the House took that off so you are suggesting we concur to that and I would like perhaps if you could reply to his objections. They provide a legal opinion separate from the county commissioners' and he is concerned that the county commissioners, without this amendment in, will go ahead and when they disagree by a concurring opinion. Could you respond to that?"

Senator Woody: "Yes, I can respond to that. First, as I mentioned earlier the provisions on lines 19 through 22 require that any agreement by the county commissioners retaining through their attorney's advice on civil matters only, I underline that, *civil matters only*, be reduced to writing and shall to the satisfaction of the prosecuting attorney of the said county clearly delineate responsibilities and authority of the prosecuting attorney and of the contracting attorney or attorneys. Now with that provision in there, there could be no situation in which the county commissioners could retain their civil attorneys on civil advice in areas that would overlap on responsibility of the prosecuting attorney because the prosecutor would have to go in and clearly delineate the responsibilities and authority. In answer to one of the things mentioned by Senator Talley as to the cost of this, one of the amendments that the House put on, which is a very good amendment, states that the amount of compensation of any contracting attorney shall not exceed in any one calendar year the salary of the prosecuting attorney. So in no event could you hire anybody to spend more time and cost the county more money than the prosecuting attorney."

## REMARKS BY SENATOR TALLEY

Senator Talley: "Senator Woody, would you say that we can just pay the same salary we are paying for a prosecuting attorney any time the county commissioners get ready then to pay up to that amount? Any time a county commissioner gets unhappy with the prosecuting attorney then he says, 'Well, we do not like your advice. We will go get some other advice.' This is one of the damndest bills I ever saw come before this Senate."

## POINT OF INQUIRY

Senator Atwood: "Would Senator Woody yield? You and I are the original co-sponsors on this, Senator. I notice that the House has limited it to the prosecuting attorney's salary for any one year. These smaller counties might have very large civil matters where hundreds of thousands of dollars would be involved. You would never be able to get an attorney to take them, especially in the antitrust field or public utility law or specialized condemnation actions where a lot of these prosecutors use specialized attorneys like the bond counsel out of Seattle. I think the House has put on a very severe limitation, especially where the county has a very highly specialized problem. We have one in our county."

Senator Woody: "My answer to that is that if you will look at the repealer section, there is no repealer of the existing statute that permits county commissioners, with, and this is totally with the approval and consent of the superior court in unusual cases, such as the antitrust situations that you mentioned, to hire special attorneys just for those major cases."

Senator Atwood: "Okay."

Senator Woody: "And I might also comment in answer that at the present time if the county commissioners' work load gets too high, what they do is hire another attorney by means of putting him on the prosecuting attorney's payroll so it amounts to the same thing."

Further debate ensued.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Dore yield to a question? Senator Dore, I am sure I

heard wrong. You said it depends on which way the opinion goes by who is signing the paycheck?"

Senator Dore: "I think who you work for, maybe that is the wrong way to state it, but I think sometimes attorneys bend over backwards to please their clients. And they have a different viewpoint or representation to follow. Just like if you got charged with a crime, Senator, I am sure your attorney that you would hire would try to see it from your viewpoint which might be a little different than that of the prosecutor."

Senator Rasmussen: "My question is this, you are arguing against the county commissioners being able to employ their own attorney?"

Senator Dore: "Yes, I think they should have their attorney but I think the prosecuting attorney in the original language of the bill had a hook on it to make the selection."

Senator Rasmussen: "He makes the selection. Who makes the selection in the case of the local school board or for the community college or for our state colleges and universities?"

Senator Dore: "That is under the attorney—that is my very point. In other words, they have their own attorneys but they are selected by the Attorney General after he advises with them, but he is the employer and they are responsible to him. He sets down the guidelines and so on and he has the statutory duty to advise the various agencies of government. The same principle is involved here in county government. We do not permit the university and the community colleges to hire their own attorneys and render opinions which they can proceed on. We have the Attorney General advise them. I think it is a good rule. There is some centralization. In fact, if you read the statute on the Attorney General you will see that he alone has that power. In other words, I think at the time the statute went through, maybe fifty years ago, they thought there should be one authority to issue opinions because if you did not have it that way you would have different attorneys in different departments issuing conflicting opinions. So they thought there should be a single opinion."

Senator Rasmussen: "You are talking about opinions now, Senator, but what I am talking about, the attorneys, they do hire their own attorneys separately but if they ask for an opinion they must ask it of the prosecuting attorney?"

Senator Dore: "That is correct. He may be authorized to write it but he has to check back to home base to get the guidelines."

Senator Rasmussen: "Thank you."

The motion by Senator Woody failed and the motion by Senator Talley that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 2306 carried.

#### MESSAGE FROM THE HOUSE

April 10, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2311, with the following amendments:

On page 1, section 1, line 6 of both the printed and engrossed bills, after "all" insert "state".

On page 1, section 1, line 11 of both the printed and engrossed bills, after "shall" insert "adopt or".

On page 1, section 1, line 13 of both the printed and engrossed bills, after "plan" insert "of not less than six years".

On page 1, section 2, line 23 of both the printed and engrossed bills, after "law," insert "state", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Wanamaker, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2311.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2311, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—44.

Absent or not voting: Senators Fleming, Henry, Ridder, Scott—4.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2311, 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 HOUSE

April 10, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2378, with the following amendments:

On page 1, section 1, beginning on line 24, after "By" strike all of the material down to and including "shall be" on page 2, line 1.

On page 4, section 6, line 29, after "sale" insert "involving a sum in excess of ten thousand dollars".

On page 5, section 6, beginning on line 8, after "purchaser" insert a period and strike the remainder of the section.

On page 5, beginning on line 10, insert a new section as follows:

"*NEW SECTION.* Sec. 7. The highway commission may list any available properties with any licensed real estate broker at a commission rate otherwise charged in the geographic area for such services."

Renumber the remaining section., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Guess, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2378.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2378, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—46.

Absent or not voting: Senators Connor, Henry—2.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2378, 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 HOUSE

April 9, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2544, with the following amendments:

On page 3, section 4, line 30 after "thousand" and before "dollars" in line 31 strike "five hundred".

On page 3, section 4, line 32 after "thousand" and before "dollars" strike "five hundred".

On page 4, section 4, line 6 after "business" and before the period on line 8, strike "PROVIDED, That any subcontractor with no more than two employees shall be mandated to post only a one thousand dollar bond".

On page 8, section 8, line 33 after "relations," and before (5) in line 2 on page 9, strike "which division shall have responsibility for registration and regulation of contractors."

On page 9, section 8, line 6 after "and" and before the period on line 7, strike "hotel inspection" and insert "[hotel inspection] registration and regulation of contractors", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Peterson (Ted) the Senate concurred in the House amendments to Engrossed Senate Bill No. 2544.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2544, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren—29.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Mattingly, Metcalf, Murray, Scott, Sellar, Talley, Twigg, Wanamaker, Washington, Woodall, Woody—18.

Absent or not voting: Senator Donohue—1.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2544, 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 HOUSE

April 10, 1973.

Mr. President: The House has passed SENATE BILL NO. 2571, with the following amendments:

On page 1, line 1 of the title, after "corporations;" strike "and" and in line 2, after "31.24.050" insert "and adding a new section to chapter 31.24 RCW".

On page 2, line 33, add a new section to read as follows:

"NEW SECTION. Sec. 2. In addition to the purposes specified in RCW 31.24.020(2) an industrial development corporation may be formed to encourage and stimulate the

preservation of historic buildings or areas by returning them to economically productive uses which are compatible with or enhance the historic character of such buildings or areas; to stimulate and assist in the development of business or other activities which have an impact upon the preservation of historic buildings or areas; to cooperate and act in conjunction with other organizations, public or private, in the promotion and advancement of historical preservation activities; and to provide financing through loans, investments or other business transactions for the promotion, development, and conduct of all kinds of business activity which encourages or relates to historic preservation. An industrial development corporation created to carry out the purposes of this section shall not engage in the broad economic and business promotion activities permitted by RCW 31.24.020(3) which are not related to the purposes of this section. Any such industrial development corporation shall in all other respects be subject to the provisions of this chapter.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Dore moved that the Senate do concur in the House amendments to Senate Bill No. 2571.

#### POINT OF INQUIRY

Senator Rasmussen: "I would like to ask Senator Dore a question, if he will yield? Senator Dore, it says the industrial development corporation created to carry out the purposes of this section shall not engage in the broad economic and business promotion activities permitted by RCW 31.24.020. Does not this prevent them from doing just exactly what you said they are going to do, promote economic activity?"

Senator Dore: "I would not consider retaining historical sites to be exactly an economic progression. In other words, they already have the authority to do that under the original part of the bill that passed over. The only thing this amendment added was the additional power to band together ten or more financial institutions, in order to make loans to preserve historic buildings and development of historic sites, so indirectly perhaps through tourist trade and promotion maybe you are correct on that. But I think we should not worry about that."

Senator Rasmussen: "One further question. Is there any public money involved?"

Senator Dore: "No public money. This will be done by the banks organized into a private corporation. They may get matching funds but there is no money involved here."

Senator Rasmussen: "They may get matching funds?"

Senator Dore: "I do not know. They may ask sometime for that. In Pioneer Square we had Mr. Case of United Parcel Service who donated, I think, one hundred and fifty dollars to preserve some part of the original Pioneer Square. That type of reconverting we are talking about here. It is very expensive and it has tourist attractions which may indirectly bring about economic development but it is primarily to preserve historical sites and buildings."

Senator Rasmussen: "This does not give them tax relief?"

Senator Dore: "No."

Senator Rasmussen: Thank you, Senator."

The motion by Senator Dore carried and the Senate concurred in the House amendments to Senate Bill No. 2571.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2571, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—43.

Absent or not voting: Senators Connor, Donohue, Odegaard, Talley, Woodall—5.

Excused: Senator Whetzel—1.

SENATE BILL NO. 2571, 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 HOUSE

April 10, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2317, with the following amendment:

On page 2, section 2, line 22 after "*chapter*" strike "*43.21*" and insert "*43.21B*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Matson, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2317.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2317, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senators Guess, Henry, Lewis (Harry)—3.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2317, 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 Senator Donohue, the House message on Engrossed Substitute Senate Bill No. 2346 was ordered held for consideration on Thursday, April 12, 1973.

#### THIRD READING

HOUSE BILL NO. 356, by Representatives Conner, Bauer, Zimmerman, Schumaker and Beck:

Changing certain legal holidays.

There being no objection, on motion of Senator Marsh, House Bill No. 356 was returned to second reading.

On motion of Senator Marsh, the following amendment was adopted:

On page 1, section 1, line 22 following "holidays." insert the following new paragraph:

*"If any of the above specified state legal holidays are also federal legal holidays but observed on different dates, only the state legal holidays shall be recognized as a paid legal holiday for employees of the state and its political subdivisions."*

On line 24, after section 1, insert the following new section:

"Sec. 2. Section 3, chapter 9, Laws of 1955 1st ex. sess. and RCW 42.04.060 are each hereby amended to read as follows:

All state elective and appointive officers shall keep their offices open for the transaction of business from eight o'clock a.m. to five o'clock p.m. of each business day from Monday through Friday, *state legal* holidays excepted. On Saturday, such offices may be closed.

This section shall not apply to the courts of record of this state or to their officers nor to the office of the attorney general and the lieutenant governor."

On motion of Senator Marsh, the following amendment to the title was adopted:

On line 3 of the title following "RCW 1.16.050" and before the period insert "; and amending section 3, chapter 9, Laws of 1955 1st ex. sess. and RCW 42.04.060".

On motion of Senator Rasmussen, House Bill No. 356, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 356, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 11; absent or not voting, 5; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Donohue, Francis, Gardner, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Marsh, Mattingly, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—32.

Voting nay: Senators Atwood, Clarke, Day, Dore, Fleming, Grant, Lewis (Bob), Matson, Murray, Newschwander, Washington—11.

Absent or not voting: Senators Connor, Durkan, Henry, Mardesich, Sellar—5.

Excused: Senator Whetzel—1.

HOUSE BILL NO. 356, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Sandison, the Senate advanced to the eighth order of business.

The Senate resumed consideration of the following resolution moved for adoption by Senator Sandison on April 7, 1973:

#### SENATE RESOLUTION 1973-71

By Senators Sandison, Canfield and Odegaard:

WHEREAS, The Legislature of the State of Washington has continuously during recent legislative sessions addressed the need to provide for effective and efficient vocational education services within the common schools and the community college systems; and

WHEREAS, Senate Concurrent Resolution 1971-23 directed that a study be made of the delivery systems for vocational education and the results of that study which have been presented to this Legislature indicated in summary that adequate data to answer the complex problems related to this issue had not been made available to date to advise the Legislature on organizational matters, although certain program and management systems proposals were recommended; and

WHEREAS, The recommendations from Senate Concurrent Resolution No. 23

proposed a continuation of the study to build upon the information already collected; and

WHEREAS, Two sharply differing philosophic approaches to confronting this problem have been introduced before the 1973 Legislature, and the Legislature has concluded it does not have sufficient information to determine whether these proposals are complementary or conflicting, and to what degree either would improve the delivery systems for vocational education in the State;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Committee on Higher Education and the Committee on Education shall appoint a joint six-member study committee composed of the respective chairmen and two members from each committee, including representatives of both caucuses, to carry out a special study and report their recommendations concerning the desirability of modifying the state's vocational education systems, such study to include but not be limited to the following issues:

(1) development of planning, administrative and budgetary systems to provide efficient and effective secondary and post-secondary vocational education.

(2) definition of the structural changes necessary to accomplish the goals in subsection (1);

(3) determination of state planning mechanisms to assure coordination in policy development and consistency with the state's plans for secondary and post-secondary education;

(4) need for immediate expansion of vocational educational programs and facilities, and the funding thereof; and

BE IT FURTHER RESOLVED, That the study committee may appoint an advisory committee composed of state educational administrators and representatives of industry and labor organizations to sit with the study committee during its deliberations to assist in framing the scope and direction of the study, and such advisory committee members will be allowed to critique and present views upon the data and information gathered in carrying out this study; and

BE IT FURTHER RESOLVED, That the Coordinating Council for Occupational Education and the Advisory Council for Vocational Education shall provide the study committee with all data and documents relating to the Senate Concurrent Resolution No. 1971-23 study; and

BE IT FURTHER RESOLVED, That the study committee may ask for and shall receive the cooperation of the Superintendent of Public Instruction, the State Board for Community College Education, the Coordinating Council for Occupational Education, the Advisory Council for Vocational Education and the Council on Higher Education in conducting this study; and

BE IT FURTHER RESOLVED, That the study committee during the course of its study will hold such public meetings as are deemed necessary and will consult with members of the trades, professions, and affected organizations for the purpose of determining the needs for vocational preparation; and

BE IT FURTHER RESOLVED, That the study committee may retain consultants to advise on technical areas as deemed appropriate; and

BE IT FURTHER RESOLVED, That the results of this study shall be reported not later than November 1, 1974, to the respective standing committees for their review and recommendation to be submitted to the 1975 regular legislative session.

Senator Gardner moved adoption of the following amendment:

On page 1, line 8 after "this issue" and before "to advise" on line 9, strike "had not been made available to date" and insert "is not available".

Debate ensued.

The motion by Senator Gardner failed and the amendment was not adopted.

Senator Gardner moved adoption of the following amendment:

On page 1, line 14, after "and the" and before "has concluded" on line 15, strike "Legislature" and insert "Senate".

Debate ensued.

The motion by Senator Gardner failed and the amendment was not adopted.

Senator Gardner moved adoption of the following amendment:



On page 1, line 26, after "effective" and before "vocational" strike "secondary and post-secondary".

Debate ensued.

The motion by Senator Gardner failed and the amendment was not adopted.

Senator Gardner moved adoption of the following amendment:

On page 2, line 9, after "administrators" and before "and" insert ", students,".

Debate ensued.

The motion by Senator Gardner failed and the amendment was not adopted on a rising vote.

#### MOTION

On motion of Senator Rasmussen, the members of the Senate Committee on State Government were excused to attend a committee meeting.

Senator Gardner moved adoption of the following amendment:

On page 2, line 10, after "organizations" and before "to sit" insert ", including but not limited to the Washington State Grange, Washington State Labor Council, and Association of General Contractors."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Sandison yield to a question? Senator Sandison, in line 10, could we in this resolution interpret industry to include agriculture? I am not asking for an amendment but could we interpret it that way?"

Senator Sandison: "Yes, I would think that industry would certainly include agriculture. It has before. Most of the input that we have, particularly in the field of proprietary education, for instance, comes from Perry Institute in Yakima. There is an association of Smith Hughes teachers and the various schools have always been very helpful and it would be my intention, anyway, that they would somewhere from agriculture, agricultural education too, they would have someone who would be on the committee in the advisory group."

Senator Canfield: "Thank you, Senator. I hoped that would be your interpretation and give the intent of this wording."

The motion by Senator Gardner failed and the amendment was not adopted.

Senator Gardner moved adoption of the following amendment:

On page 2, after line 33, insert the following:

"BE IT FURTHER RESOLVED, That the study commission shall visit and inspect the vocational education facilities at each community college and at each vocational-technical institute and shall hold at least one public hearing in each of the state's community college districts to receive the testimony of parents, teachers, students, and local organizations regarding the efficiency and effectiveness of the vocational program offerings."

Senator Murray moved adoption of the following amendment to the amendment by Senator Gardner:

On line 2 of the Gardner amendment after "at" strike "each" and insert "least three" and on line 3, after "at" strike "each" and insert "least three" and on line 4, strike "one" and insert "three".

Debate ensued.

#### POINT OF ORDER

Senator Woodall: "The man asked for a division and in the middle of a division you cannot start making a speech. It seems to me you have to wait until the division is completed."

## RULING BY THE PRESIDENT

The President: "Senator Murray requested the opportunity, Senator, and the President figured it would not do any harm."

Further debate ensued.

The amendment by Senator Murray to the amendment by Senator Gardner was not adopted on a rising vote.

The motion by Senator Gardner failed and the amendment was not adopted.

The motion by Senator Sandison carried and the resolution was adopted.

## MOTION

At 4:20 p.m., on motion of Senator Sandison, the Senate recessed until 5:00 p.m.

## SECOND AFTERNOON SESSION

The President called the Senate to order at 5:00 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 5:30 p.m.

## MOTIONS

On motion of Senator Mardesich, all bills passed today were ordered immediately transmitted to the House.

On motion of Senator Mardesich, the Senate commenced consideration of Senate Bill No. 2854.

## SECOND READING

SENATE BILL NO. 2854, by Senator Odegaard:

Relating to appropriations.

## MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 2854 was substituted for Senate Bill No. 2854 and the substitute bill was placed on second reading and read the second time in full.

Senator Newschwander moved adoption of the following amendment:

On page 8, section 32, line 16, strike "\$3,920,761" and insert "\$3,420,761" and after line 16 insert "For administration of a no-fault insurance program, which shall revert to the general fund should Senate Bill No. 2134 fail to be enacted into law . . . . . \$500,000".

Debate ensued.

The motion by Senator Newschwander failed and the amendment was not adopted on a rising vote.

Senator Woodall moved adoption of the following amendment:

On page 5, section 20, strike lines 2 through 7. Renumber the remaining sections.

Debate ensued.

The motion by Senator Woodall failed and the amendment was not adopted on a rising vote.

On motion of Senator Durkan, Substitute Senate Bill No. 2854 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Guess: "Will Senator Durkan yield? Senator Durkan, at the beginning of your talk you said that it had readjusted or shifted the funds that had been going to the research

projects at the University of Washington and at Washington State University. Did it do away totally with the money that was going from the Class H licenses?"

Senator Durkan: "The answer is no."

Senator Guess: "How much is it still to go there?"

Senator Durkan: "The same percentages as before, but under the distribution the dollar amount I am not sure of, Senator, but this is an amount that as a result of the new bill goes back to the department for the same type of a treatment program."

Senator Guess: "They were doing research projects down there. This means that they will not have to stop that research?"

Senator Durkan: "Well, they will not be doing as much because they will not have that kind of money. It was felt that the new bill which you voted on and supported, that the moneys could be better used in the treatment of the alcoholics on that level and to that extent this amount of money has been diverted back to the local control."

Senator Guess: "Thank you."

Debate ensued.

#### POINT OF INQUIRY

Senator Washington: "Would Senator Durkan yield to a question? There is the note on page 37 that legislators' salaries are to be ten thousand five hundred and sixty. There is also the notation that these salaries can only be paid in accordance with the Constitution. I believe, it is my understanding and I would like to know if it is yours, that under constitutional provisions legislators are the only officers who are not able to receive an increase in salary until after their next term of election."

Senator Durkan: "That is correct."

Senator Washington: "In other words, the amount of the raise could not go to anyone who is sitting here at the present time. They would all have to be reelected before they could get this salary increase?"

Senator Durkan: "That is correct. I would suggest we all resign as soon as this session is over."

#### POINT OF INQUIRY

Senator Atwood: "Will Senator Durkan yield? Senator Durkan, on our calendar today, down at the bottom, there is a little item that costs twenty-six million dollars to the general fund. If that should pass, how do you plan to fund the forty million dollars for special school levy relief?"

Senator Durkan: "The Legislative Budget Committee, Senator, has said with all of the operating budgets that we have and it is on your desk, I came over personally to give it to you, that the surplus including all of the add-ons, including all of the substantive legislation that has passed, is in excess of forty-one million. That is the answer. Whether or not that will be used for that I do not know, but there still is forty-one million according to the Governor's revenue estimate that is available and perhaps tomorrow morning in Ways and Means we can meet and figure a way to spend it."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Ridder yield? Senator, you alluded to this pension program and the item at the bottom of the single sheet of approximately seventy million dollars. Do you have that single sheet at hand? At any rate, bracketed in after that is eight million three hundred and sixty thousand dollars for warrants. What is your understanding of the amount of outstanding warrants that are chargeable at this time against the pension system? I mean warrants that are bearing interest because there was not enough money to pay them at the time they were drawn."

Senator Ridder: "My understanding was that there was twelve million. I do not know whether this is a partial funding of that or not. It is thirty-three million of basic funds and twelve million of interest."

Senator Canfield: "Thirty-three million?"

Senator Ridder: "Yes, of the warrants. Thirty-three million of warrants. I think it is twelve million of interest to be paid. That is on the money that was paid out on the money that was nonexistent for the payment of current pensions in the teachers' system."

Senator Canfield: "It is not just clear to me how this eight million dollars applies here in view of those figures."

Senator Ridder: "You have me sort of lost. I do not know which one you are referring to."

Senator Canfield: "Perhaps I could question Senator Durkan."

Senator Ridder: "Maybe this would be better. I think he understands this sheet."

Senator Durkan: "As of July 1 there will be approximately thirty-three million dollars of warrants in the Treasurer's office. And of the sixty-nine million plus these, which is in there, there is a provision in here which provides that out of that sixty-nine million, thirty-three million or so much thereof that is necessary will be paid to retire the teachers' warrants. We had two choices. We could have, you recall in 1972 we passed the bill which provided that any surplus that was available went to the system and that will amount to about twenty-five million and with the eight million which was in there for the two percent, had that eight million been used for the two percent, it would have been thirty-three and we were going to do it that way but instead of doing it that way we just took the thirty-three million out. The 1972 proviso will remain and the surplus will still go to the teachers' retirement."

Senator Atwood: "Mr. President and gentlemen of the Senate, after we talked to you, Senator Durkan, we decided to work it the other way. If you will look at page 32 you will see how it works. Of the thirty-two million dollars in teachers' warrants, or TRS warrants, we took twenty-five million of the 1971-1973 surplus which is carried in the 1972 supplemental from the surplus revenue made available TRS pursuant to chapter 155, Laws of 1972. That is the supplemental budget which was passed last January which allocated all the surplus moneys from the end of the biennium to the TRS or to the Teachers' Retirement System. And then if you will see we pick up that eight point three million out of the general fund for the 1973-1975 biennium to pick up the warrants. And if you will look back on the teachers' retirement appropriation you will see a sum of sixty-one million instead of sixty-nine. The reason for this is it was much easier to do this way. The Treasurer was very skeptical about us trying to otherwise go back and try and take it all out of the sixty-nine which was what I thought we had agreed on but they brought this up later and that is where your eight point three which is on the long sheet. That is how the registered warrants are picked up. So the actual appropriation to TRS this time is over eighty-some million dollars when you count the unfunded warrants we are picking up July 1."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2854, and the bill passed the Senate by the following vote: Yeas, 28; nays, 18; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Woody—28.

Voting nay: Senators Atwood, Canfield, Clarke, Dore, Guess, Jones, Lewis (Bob), Matson, Mattingly, Murray, Newschwander, Peterson (Ted), Ridder, Scott, Sellar, Talley, Wanamaker, Woodall—18.

Absent or not voting: Senators Greive, Rasmussen—2.

Excused: Senator Whetzel—1.

SUBSTITUTE SENATE BILL NO. 2854, having received the 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 Senator Mardesich, Substitute Senate Bill No. 2854 was ordered immediately transmitted to the House.

## PERSONAL PRIVILEGE

Senator Durkan: "Mr. President, I personally want to thank Senator Twigg. I know it was not easy."

## EXPLANATION OF VOTE

On my nay vote on Substitute Senate Bill No. 2854, I voted against this section of the total budget for the following reasons:

First, the appropriation for the retirement system was insufficient. Last biennium the legislature shorted the Teachers' system \$63 million and the LEOFF system \$43 million. This budget not only makes no attempt to fund these shortages, but it further shorts the Teachers' system by \$14 million more and the LEOFF system is further shorted by \$51 million. Such action creates a 171 million dollar unfunded liability to the systems that becomes an increasingly impossible obligation to meet in light of the recurring revenue shortage.

The inclusion of special levy relief, increase in legislature and state executive pay raises, and state employee and teacher pay raises uses money that by laws of 1947 and 1961 Retirement Acts should be a first lien upon the state revenue for funding retirement programs. Loss of funding jeopardizes the contractual relation between the state and members of both mentioned systems.

In light of this budget's not providing this contractual obligation as a first responsibility, I find myself unable to vote for it.

Signed by: Senator Robert Ridder.

## EXPLANATION OF VOTE

I am essentially in the same position as Senator Ridder. In addition to his objections, I object to the salary increases for elected officials. In particular, the provision that would triple the salary for legislators. But unlike Senator Ridder, I chose not to vote at all rather than against the entire budget, because I felt that I did not want to indicate: (1) That I was dissatisfied with other worthwhile appropriations in the budget; and (2) in any event refusing to vote had the same effect as a "no" vote, since 25 votes were needed to pass it.

Signed by: Senator R. R. Bob Greive.

SENATE BILL NO. 2717, by Senators Durkan, Peterson (Ted), Sandison and Walgren: Creating an organized crime intelligence unit.

## MOTIONS

On motion of Senator Durkan, Substitute Senate Bill No. 2717 was substituted for Senate Bill No. 2717 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Durkan, the rules were suspended, Substitute Senate Bill No. 2717 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2717, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senator Sellar—1.

Absent or not voting: Senators Metcalf, Rasmussen—2.

Excused: Senator Whetzel—1.

SUBSTITUTE SENATE BILL NO. 2717, having received the constitutional 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. 827, by Representatives Bausch, Bluechel and Williams:

Providing that county comprehensive plans may cover a portion of such county.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), Engrossed House Bill No. 827 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 827, and the bill passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Woodall, Woody—38.

Voting nay: Senators Donohue, Durkan, Mardesich, Mattingly, Ridder, Sandison, Walgren—7.

Absent or not voting: Senators Greive, Metcalf, Rasmussen—3.

Excused: Senator Whetzel—1.

ENGROSSED HOUSE BILL NO. 827, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 944, by Committee on Social and Health Services (originally sponsored by Representatives Kelley and Matthews):

Permitting nursing homes to offer out-patient services.

The bill was read the second time by sections.

On motion of Senator Day, Substitute House Bill No. 944 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 944, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody-44.

Voting nay: Senator Francis-1.

Absent or not voting: Senators Greive, Metcalf, Rasmussen-3.

Excused: Senator Whetzel-1.

SUBSTITUTE HOUSE BILL NO. 944, having received the 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. 2866, by Senators Donohue and Odegaard:  
Relating to revenue and taxation.

### REPORT OF STANDING COMMITTEE

April 2, 1973.

SENATE BILL NO. 2866, relating to revenue and taxation (reported by Committee on

Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 9, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, [wine,] or strong beer in the original package at the rate of ten percent of the selling price, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale for resale to the holder of a class C, class F, class H or combined class C and class F license issued by the Washington state liquor control board [ : PROVIDED, That from and after July 1, 1969 the tax upon each retail sale of wine under this subsection (1) shall be at the rate of twenty-six percent of the selling price]. The tax imposed in this section shall apply to all sales of spirits, [wine,] or strong beer by the Washington state liquor stores and agencies, including sales to licensees [, but shall not apply to sales of wine in the unopened bottle by licensees who have paid the tax imposed by this subsection (1) to their vendors on the acquisition of such wine]. The tax imposed in RCW 82.08.020 as now or hereafter amended shall [not] apply to sales by the Washington State liquor control board stores and agencies of products subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, or strong beer in the original package at the rate of five percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, or strong beer by the Washington state liquor stores and agencies, excluding sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall [not] apply to sales by the Washington State liquor control board stores and agencies of products subject to the tax imposed by this paragraph.

(3) There is levied and shall be collected from and after the first day of July, 1971, an additional tax upon each retail sale of spirits in the original package at the rate of four cents per fluid ounce or fraction thereof contained in such original package, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits by the Washington state liquor stores and agencies, including sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state department of revenue, to be deposited with the state treasurer, all moneys collected by it

under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit them in the state general fund provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 66.08 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.

(4) As used in this section, the terms, "spirits," "wine," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04.

Sec. 2. Section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210 are each amended to read as follows:

There is hereby imposed upon all wines sold to retail licensees, *including the Washington state liquor control board*, within the state a tax of [ten] *seventy-five* cents per wine gallon: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one [domestic] winery to another [domestic] winery shall not be subject to such gallonage tax. The tax herein provided for may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on gallonage sales *by wine wholesalers*. Every person selling wine under the provisions of this section shall report all sales to the board in such manner, at such times and upon such forms as may be prescribed by the board [in accordance with RCW 66.24.230], and with such report shall pay the tax due from the sales covered by such report unless the same has previously been paid. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel his license until all taxes are paid.

*NEW SECTION.* Sec. 3. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Strike the title and insert the following:

"An Act relating to revenue and taxation, particularly to the taxation of liquor; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 9, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.150; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; and declaring an emergency."

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Dore, Fleming, Gardner, Grant, Lewis (Harry), Ridder.

The bill was read the second time by sections.

Senator Durkan moved adoption of the committee amendment.

On motion of Senator Durkan, the following amendments to the committee amendment were adopted:

On page 1, section 1, line 22, after "shall" strike "[not]" and insert "not".

On page 2, section 1, line 6, after "shall" and before "apply" strike "[not]" and insert "not".

The motion by Senator Durkan carried and the committee amendment, as amended, was adopted.

Senator Durkan moved adoption of the following amendments:

On page 3, section 2, line 4, after "licensees," and before "the" strike "including" and insert "and by".

On page 3, section 3, line 32, after "effect" strike "immediately." and insert "[immediately]" "the first day of July, 1973."



## POINT OF INQUIRY

Senator Francis: "Will Senator Durkan yield? Senator Durkan, I am looking at what I think is your amendment here and although this says by Committee on Ways and Means, is that the one we are looking at now or do you have an amendment to that amendment? All right, that is what I am looking at. Now what I would like to ask you is, basically, what does this do as compared to the bill? You have stated some very narrowly stated functions. This will be the bill. The bill itself takes the percentage tax off and replaces it with a per gallon flat tax. And this does the same thing except that it has a per gallon flat tax of seventy-five cents a gallon instead of fifty cents a gallon."

Senator Durkan: "Right."

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 2866 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2866, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senators Greive, Metcalf, Rasmussen—3.

Excused: Senator Whetzel—1.

ENGROSSED SENATE BILL NO. 2866, having received the 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

Senator Sellar moved that Engrossed House Bill No. 552 be ordered to hold its place on the second reading calendar for Thursday, April 12, 1973.

Debate ensued.

The motion by Senator Sellar failed on a rising vote.

## SECOND READING

ENGROSSED HOUSE BILL NO. 552, by Representatives Bagnariol, Gaspard, Barden, Anderson, Kelley, Chatalas, Gallagher, Perry, Maxie, Conner, McCormick and Kalich:

Placing health care services under laws applicable to other insurance.

The bill was read the second time by sections.

Senator Francis moved adoption of the following amendments by Senators Francis and Jones:

On page 1, line 24 after "to" strike "all" and on page 1, line 25, after "agreements" insert "only to the extent that the purchaser so requests and".

Debate ensued.

The motion by Senator Francis failed and the amendments were not adopted on a rising vote.

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 552 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 552, and the bill passed the Senate by the following vote: Yeas, 26; nays, 16; absent or not voting, 6; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Talley, Van Hollebeke, Woodall, Woody—26.

Voting nay: Senators Canfield, Clarke, Francis, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Newschwander, Sellar, Stortini, Twigg, Walgren, Wanamaker, Washington—16.

Absent or not voting: Senators Atwood, Dore, Greive, Metcalf, Peterson (Ted), Rasmussen—6.

Excused: Senator Whetzel—1.

ENGROSSED 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.

## MOTION

On motion of Senator Day, Engrossed House Bill No. 552 was ordered immediately transmitted to the House.

## MOTION

On motion of Senator Washington, Engrossed Substitute House Bill No. 862 was ordered placed at the beginning of the second reading calendar for Thursday, April 12, 1973.

## SECOND READING

HOUSE JOINT RESOLUTION NO. 40, by Representatives Thompson, Polk and Van Dyk:

Changing the requirements for passage of bond propositions.

The resolution was read the second time in full.

On motion of Senator Grant, the rules were suspended, House Joint Resolution No. 40 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Resolution No. 40, and the resolution passed the Senate by the following vote: Yeas, 37; nays, 6; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—37.

Voting nay: Senators Bottiger, Clarke, Guess, Matson, Twigg, Woodall—6.

Absent or not voting: Senators Connor, Durkan, Greive, Metcalf, Rasmussen—5.

Excused: Senator Whetzel—1.

HOUSE JOINT RESOLUTION NO. 40, having received the constitutional two-thirds majority, was declared passed.

HOUSE BILL NO. 604, by Representatives Kuehnle, Chatalas and Garrett:

Providing that licensed real estate salesmen may sell mobile home when sold with land on which it rests.

#### REPORT OF STANDING COMMITTEE

March 29, 1973.

HOUSE BILL NO. 604, providing that licensed real estate salesman may sell mobile home when sold with land on which it rests (reported by Committee on Commerce):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, in line 6 beginning with "Any" strike all matter down to and including the period in line 9 and insert the following:

"(1) Any person licensed under the provisions of this chapter may sell a used mobile home as defined in RCW 84.36.370 without obtaining a license required by chapter 46.70 RCW: PROVIDED, That the mobile home is no longer subject to chapter 46.12 RCW and the title has been turned in to the department of motor vehicles with a written statement from the county assessor of the county in which the mobile home is located, that said mobile home is no longer personal property and has been assessed as real property for a period of at least one year: AND PROVIDED FURTHER, That the mobile home is sold in one transaction with the land on which it rests.

(2) In order to carry out the provisions of this section, the director of the department of motor vehicles shall prescribe by rule or regulation methods and procedures to assure compliance with the requirements of Title 46 RCW pertaining to mobile homes, collection of taxes, and transaction documentation."

Signed by: Senators Greive, Chairman; Herr, Lewis (Bob), Peterson (Lowell), Wanamaker.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

#### MOTIONS

On motion of Senator Lewis (Harry), Senator Atwood was excused.

On motion of Senator Scott, Senator Metcalf was excused.

On motion of Senator Mardesich, Senator Durkan was excused.

On motion of Senator Talley, House Bill No. 604, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Odegaard: "Mr. President, I have a question on this bill. I am not sure who to ask. I will ask the question and maybe somebody can answer it. If not, I would like to hold it over until tomorrow. If a mobile home is considered real property, it is placed there permanently and then the real estate salesman is able to sell it as real property, does the value of the mobile home then, is a sales tax paid on that or is the real estate tax paid, the one percent tax? I do not know if anybody could answer that here today."

Senator Wanamaker: "In committee it was determined that it would be on a property tax. If you read the amendment it says that it has been placed on the land permanently and has been assessed by the assessor."

Senator Odegaard: "So they would pay then the one percent real estate transfer tax rather than the sales tax?"

Senator Wanamaker: "Right."

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 604, as amended by

the Senate, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 4; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—41.

Absent or not voting: Senators Connor, Greive, Newschwander, Rasmussen—4.

Excused: Senators Atwood, Durkan, Metcalf, Whetzel—4.

HOUSE BILL NO. 604, 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, by Committee on Social and Health Services (originally sponsored by Representatives Maxie, Paris, Adams, Zimmerman, Smythe, Ceccarelli, Gaines, Gaspard, Goltz, Kelley, Nelson and Van Dyk) (by Governor's Task Force on Aging request):

Authorizing certain services for certain persons receiving public assistance.

#### REPORT OF STANDING COMMITTEE

April 2, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, authorizing certain services for certain persons receiving public assistance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 6 of the engrossed bill, after "and" and before "nonrecipients", being page 3, line 5 of the printed bill, after "and" and before the material stricken by the amendment by Representatives Kelley, Barden and Maxie, insert "general assistance to the unemployable who are potential disability assistance recipients,"

On page 3, section 2, line 8 of the engrossed bill, after "plan" being page 3, line 9 of the printed bill, after "plan" and before the material stricken by the amendment by Representatives Kelley, Barden and Maxie, insert ", and those potential recipients who would otherwise be eligible for public assistance if the cost of this service were an additional grant requirement".

On page 3, section 4, line 13 of the engrossed bill, being line 5 of the amendment by Representative Kelley to page 3, line 14 of the printed bill, after "possible," insert "and consistent with federal law."

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Francis, Herr, Jones, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, Engrossed Substitute House Bill No. 410, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 410, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 2; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini,

Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Absent or not voting: Senators Greive, Rasmussen—2.

Excused: Senators Atwood, Durkan, Metcalf, Whetzel—4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, 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 BILL NO. 2540, by Senators Woody, Bottiger and Atwood:

Providing for an increase in the salaries of part time district court judges.

The bill was read the second time by sections.

On motion of Senator Woody, Senate Bill No. 2540 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Grant: "Would Senator Woody yield to a question? Senator Woody, would you describe the weekly duties of a part-time JP?"

Senator Woody: "Normally on a Monday morning they will take in some miscreants from Renton that travel through their area and they will examine them to determine whether they have any funds and if they do not have any funds then under Senate Bill No. 2069 that we just passed through here and the Governor signed, he will assign some poor attorney to represent them. That will, of course, come out of the budget that is turned in to the Treasurer and in the event then the poor miscreant from Renton decides to go to trial for that minor offense they set it down for trial a week, two, three weeks later. This goes on daily, day in and day out and at night for these poor little JP's."

Senator Grant: "Thank you, Senator Woody. I can understand why the minimum wage for these poor justices should be increased and I want to assure you that I am going to support this increase for the judges, the first vote I have given you this session."

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Woody yield? Senator, in looking over these salary increases, you said they had no fiscal impact. Would you explain that again? Perhaps I missed it."

Senator Woody: "The state of Washington pays no money toward part-time justices of the peace. The county commissioners pay their entire fee. They set them out there to handle all these trials."

Senator Canfield: "Out of their own pockets, I presume?"

Senator Woody: "The county commissioners have, of course, the county pocket."

Senator Canfield: "Well, there would be a fiscal impact upon the county, surely, and upon the local taxpayers or offenders or whoever. Is that correct?"

Senator Woody: "Yes."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2540, and the bill passed the Senate by the following vote: Yeas, 34; nays, 6; absent or not voting, 5; excused, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—34.

Voting nay: Senators Fleming, Guess, Mattingly, Murray, Sellar, Wanamaker—6.

Absent or not voting: Senators Connor, Greive, Lewis (Harry), Matson, Rasmussen—5.

Excused: Senators Atwood, Durkan, Metcalf, Whetzel—4.

SENATE BILL NO. 2540, having received the 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 Senator Mardesich, all bills passed today were ordered immediately transmitted to the House.

At 6:55 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Thursday, April 12, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### THIRTY-FIFTH DAY

#### MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, April 12, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Durkan, Mattingly, Newschwander, Talley and Whetzel. On motion of Senator Walgren, Senator Durkan was excused.

The Color Guard, consisting of Pages William Robey and Mary Sargent, presented the Colors. Bishop Wilbur Choy of the United Methodist Church, Seattle Episcopal Area, offered the following prayer:

"O GOD, THE ONLY KING WE AMERICANS ACKNOWLEDGE, WHOSE KINGDOM IS THE ONLY OTHER REALM IN WHICH WE SEEK CITIZENSHIP, WE STAND BEFORE THEE NOW, SOME IN COURTESY AND OTHERS TO DECLARE OUR COMMITMENT TO THEE AND OUR ALLEGIANCE TO THY WILL. WE LIFT UP BEFORE THEE THESE PERSONS ELECTED AS SENATORS OF THE PEOPLE OF THE STATE OF WASHINGTON. LOOK UPON THEM WITH THY FAVOR AND GRANT UNTO EACH OF THEM THY WISDOM AND GUIDANCE. STRENGTHEN THEIR WILL FOR GOODNESS. INCREASE IN THEM A PASSION FOR THE WELL-BEING OF ALL PERSONS, ESPECIALLY THOSE WHO ARE POWERLESS AND INARTICULATE. THUS MAY WE MAKE GOOD OUR OFT REPEATED PLEDGE, LIBERTY AND JUSTICE FOR ALL. WE PRAY IN THY HOLY NAME. AMEN."

## MOTION

On motion of Senator Wlagren, the reading of the journal of the previous day was dispensed with and it was approved.

## REPORTS OF STANDING COMMITTEES

April 10, 1973.

SENATE BILL NO. 2446, planning and funding of capital office facilities (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Wanamaker.

Passed to Committee on Rules for second reading.

April 12, 1973.

SENATE CONCURRENT RESOLUTION NO. 133, providing for community college curricula for Viet Nam veterans (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Scott.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 10, providing that disclaimer of warranties in the sale of consumer goods shall be ineffective (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Dore, Greive, Van Hollebeke.

Passed to Committee on Rules for second reading.

April 12, 1973.

ENGROSSED HOUSE BILL NO. 76, providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

April 12, 1973.

ENGROSSED HOUSE BILL NO. 305, providing additional procedures for enforcing support obligations (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Clarke, Connor, Greive, Herr, Jones, Murray, Twigg, Woodall.

Passed to Committee on Rules for second reading.

April 12, 1973.

SUBSTITUTE HOUSE BILL NO. 340, implementing laws relating to tuberculosis hospitalization and control (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Herr, Jones, Keefe, Murray, Woody.

Passed to Committee on Rules for second reading.

March 29, 1973.

ENGROSSED HOUSE BILL NO. 349, regulating commercially licensed troll vessels (reported by Committee on Natural Resources):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison.

Passed to Committee on Rules for second reading.

April 2, 1973.

ENGROSSED HOUSE BILL NO. 374, providing for certification of operators of water supply systems (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Connor, Francis, Greive, Herr, Jones, Murray, Woody.

Passed to Committee on Rules for second reading.

April 11, 1973.

SUBSTITUTE HOUSE BILL NO. 519, providing for nine port commissioners elected from districts coextensive with county councilman districts in Class AA counties (reported by Committee on Constitution and Elections):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Grant, Chairman; Gardner, Stortini, Washington.

Passed to Committee on Rules for second reading.

April 12, 1973.

HOUSE BILL NO. 566, requiring savings and loan associations to pay for the cost of state supervision (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Chairman; Keefe, Mardesich, Walgren.

Passed to Committee on Rules for second reading.

April 11, 1973.

ENGROSSED HOUSE BILL NO. 928, implementing the state liquor laws (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch.

Passed to Committee on Rules for second reading.

April 11, 1973.

HOUSE BILL NO. 1063, making certain changes in the administration of metropolitan public transportation facilities (reported by Committee on Transportation and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Jolly, Lewis (Bob), Matson, Mattingly, Peterson (Lowell), Rasmussen, Sellar, Wanamaker, Washington, Whetzel.

Passed to Committee on Rules for second reading.

April 11, 1973.

HOUSE BILL NO. 1099, providing that the requirement of union membership for all members of a bargaining unit may be removed by majority vote of the entire membership (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.



## GUBERNATORIAL APPOINTMENT

April 12, 1973.

THOMAS DIXON, to the position of member of the Board of Trustees of Evergreen State College, appointed by the Governor on February 20, 1973 for the term ending March 15, 1977, succeeding A. E. Saunders (reported by the Committee on Higher Education):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Donohue, Guess, Marsh, Metcalf, Scott.

Passed to Committee on Rules.

## MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has adopted the report of the Conference Committee on HOUSE BILL NO. 782, and has granted said committee the powers of Free Conference.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF FREE CONFERENCE COMMITTEE

April 11, 1973.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 782, regulating chain distributor business schemes, have had the same under consideration, and we recommend that it do pass with the following amendment:

On page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill, after "value" and before the period insert "*amounts paid for trading stamps redeemable in cash only; (h) amounts paid for trading stamps to be used as incentives only and not to be used in, with, or for the sale of any goods*".

Signed by: Senators Mardesich, Whetzel and Grant; Representatives Curtis, Wojahn and Ceccarelli.

## MOTION

On motion of Senator Mardesich, the report of the Free Conference Committee on House Bill No. 782 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 782, as amended by the Free Conference Committee and the bill passed the Senate by the following vote: Yeas, 33; nays, 11; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Woody—33.

Voting nay: Senators Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Mattingly, Rasmussen, Sellar, Twigg, Wanamaker, Woodall—11.

Absent or not voting: Senators Atwood, Newschwander, Talley, Whetzel—4.

Excused: Senator Durkan—1.

HOUSE BILL NO. 782, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2934, by Senators Walgren, Durkan and Keefe:

An Act relating to prosecuting attorneys; amending section 36.27.040, chapter 4, Laws of 1963 and RCW 36.27.040; amending section 36.27.060, chapter 4, Laws of 1963 as last amended by section 2, chapter 237, Laws of 1971 ex. sess. and RCW 36.27.060; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1971 ex. sess. and RCW 36.17.020; amending section 36.27.020, chapter 4, Laws of 1963 and RCW 36.27.020; amending section 5, chapter 126, Laws of 1921 as amended by section 13, chapter 81, Laws of 1971 and RCW 2.48.200; declaring an emergency; and making an effective date.

Referred to Judiciary Committee.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2084,  
SENATE BILL NO. 2311,  
SENATE BILL NO. 2317,  
SENATE BILL NO. 2378,  
SENATE BILL NO. 2544,  
SENATE BILL NO. 2571.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, by Committee on Ecology (originally sponsored by Representative Luders):

Making certain changes in the state air pollution control laws.

## REPORT OF STANDING COMMITTEE

April 10, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, making certain changes in the state air pollution control laws (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 9, section 8, line 3, after "wood" and before the comma strike "and paper".

On page 9, section 8, line 3, after "as" and before "been" strike "neither have" and insert "it has not".

On page 9, section 9, line 21, after "1976" and before "state" insert a comma.

On page 9, section 9, line 21, after "quality" and before "for" strike "standards" and insert "goals".

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

Senator Washington moved adoption of the following amendment:

On page 9, section 9, line 13, after "substance" and before "which" insert "other than natural vegetation".

## POINT OF INQUIRY

Senator Woodall: "Will Senator Washington yield? Will this fix it now so that the man raising certified seed can burn his field off before he plants?"

Senator Washington: "Not this particular amendment. There is a provision in this act to allow that."

Senator Woodall: "You are covered?"

Senator Washington: "Yes, it is covered."

The motion by Senator Washington carried and the amendment was adopted.

Senator Washington moved adoption of the following amendment:

On page 9, section 10, line 25, after "law," and before "may" on line 26, strike "the legislative body of a fire protection authority" and insert "the governmental agency authorized to issue burning permits".

#### POINT OF INQUIRY

Senator Newschwander: "I wonder if Senator Washington would yield to a question? On that governmental agency, could that be in Seattle the Puget Sound Air Pollution?"

Senator Washington: "No, that would not."

Senator Newschwander: "Could it be the local fire district or county commissioners?"

Senator Washington: "Any agency that is authorized to issue burning permits at the present time is authorized to do that."

Senator Newschwander: "In my area though we had to get a burning permit from the Puget Sound Air Pollution and in many areas they do not authorize them."

Senator Washington: "We have gone a long ways by specifically providing here that you can have home burning which goes quite a ways along the bill. We are not cutting down on the right of whoever can issue them at the present time. That I can tell you."

Senator Newschwander: "In my area the Puget Sound Air Pollution, there are some areas under the old law you can burn and some areas they can give you a permit. Now what I am worried about with this amendment is that when you say 'governmental agency' we are going to go right back to the old law and burn."

Senator Washington: "No, this is an extension rather than a restriction. In other words, this was an extension to make sure that the Department of Natural Resources would be in a position to issue permits. This is not intended to cut down on the amount of permits." intended to cut down on the amount of permits."

On motion of Senator Newschwander, the following amendment to the amendment by Senator Washington was adopted of a rising vote:

On line 5 of the Washington amendment, after "permits" insert "on state land".

#### POINT OF INQUIRY

Senator Ridder: "I wanted to ask a question of Senator Washington. I would like to know the status, for instance, of outdoor barbeque. Is this burning under the context of these amendments and sections 8 and 9 here?"

Senator Washington: "It is my understanding that there is no permit needed and that they can continue to be used."

The motion by Senator Washington carried and the amendment, as amended, was adopted.

Senator Matson moved adoption of the following amendment by Senators Matson and Washington:

On page 9, section 9, line 15, after "RCW 70.94.650" insert "PROVIDED, That agricultural heating devices which otherwise meet the requirements of this chapter shall not be considered outdoor fires under this section".

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Matson yield? Senator, I am in favor of this amendment but I would like to get an interpretation from you regarding these fires that are a paraffin impregnated material. Remember, you see some of them in orchards? Sort of sawdust impregnated with paraffin and materials of that sort. Now I wonder if that is equipment or what. Now you spoke a minute ago of orchard heating equipment and I would like to have such material interpreted as coming within the permissiveness of this act."

Senator Matson: "Of course, if they are not, if they do not contain petroleum products or rubber products or plastics why then they are not covered under this section."

Senator Canfield: "Do not these contain some paraffin products but they do not emit any smoke?"

Senator Matson: "As far as I am concerned, the answer is if they come within the

emission standards that all the other equipment does why they would be excluded from control."

Senator Canfield: "I do not know what proportion of the orchard people use these. I think it is a rather small percentage, but I think there are some who are using these materials, and I did not want them banned as long as they came within the emission standards."

Senator Matson: "My interpretation is they would not be banned under this."

The motion by Senator Matson carried and the amendment by Senators Matson and Washington was adopted.

#### MOTION

On motion of Senator Guess, Engrossed Substitute House Bill No. 862, as amended by the Senate, was made a special order of business for 11:00 a.m. today.

#### SECOND READING

HOUSE BILL NO. 346, by Representatives Swayze, Knowles and Eikenberry (by Department of Social and Health Services request):

Implementing law of detention of juveniles.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, House Bill No. 346 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 346, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Absent or not voting: Senators Atwood, Connor, Whetzel—3.

Excused: Senator Durkan—1.

HOUSE BILL NO. 346, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Matson, Senator Atwood was excused.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, by Judiciary Committee (originally sponsored by Representatives Smythe, May, Kuehnle and Luders):

Implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages.

## REPORT OF STANDING COMMITTEE

April 11, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 9, after "contractor" strike "or" and insert "and".

On page 3, section 3, line 27, strike "mortgage on" and insert "mortgage or" and after "liens," strike "mortgages" and insert "mortgages".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Bottiger, Clarke, Durkan, Van Hollebeke.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendments were adopted.

Senator Francis moved adoption of the following amendment by Senators Francis, Bottiger, Woody and Clarke:

On page 1, section 1 (4), line 27, after "chapter" and before the period insert "and has otherwise complied with the provisions of this chapter".

Senator Woody moved adoption of the following amendment to the amendment by Senators Francis, Bottiger, Woody and Clarke:

After "chapter" on the last line of the Francis amendment, insert "and the requirements of chapter 18.27 RCW if required by the provisions thereof".

## POINT OF INQUIRY

Senator Clarke: "Would Senator Woody yield? I had understood that material suppliers also came within the scope of this lien, right? What are you doing to them by this amendment?"

Senator Woody: "Not a thing because they are not within RCW chapter 18.27."

Senator Clarke: "However, you say 'as otherwise complied with that chapter', and are you not in substance by your amendment requiring all lien claimants to comply with that chapter? I really have not had an opportunity to read this through carefully but I am a little concerned about the rights of materialmen."

Senator Woody: "I am too, Senator, and that is why I wrote the amendment very carefully. It says, 'and the requirements of RCW chapter 18.27 if required by the provisions thereof'."

## REMARKS BY SENATOR GUESS

Senator Guess: "I would like to add to that. The requirements of the chapter are that a person has to be engaged in improving real estate, so the materialman, while furnishing the material is not engaged primarily in the purpose of improving that land which he delivers the material to."

The motion by Senator Woody carried and the amendment to the amendment by Senators Francis, Bottiger, Woody and Clarke was adopted.

The motion by Senator Francis carried and the amendment, as amended, was adopted.

Senator Bottiger moved adoption of the following amendment by Senators Bottiger and Clarke:

On page 3, following line 23, add a new sentence as follows:

"The amount claimed in any notice of claim which is adjudged to be unreasonably excessive shall be set off against the recovery allowed by the court."

Debate ensued.

The motion by Senator Bottiger failed and the amendment was not adopted on a rising vote.

## POINT OF INQUIRY

Senator Woodall: "Will Senator Woody yield? Senator Woody, two questions. The first one I think I know the answer. I am concerned with the situation here of a small bank, they

have loaned a man fifty thousand dollars, a fight ensues between the subs and the suppliers and the main contractor and of course the bank is not mad at anybody. All they want to do is just pay the money out and chalk it off the books. Now the right of interpleader which we use frequently in other cases, and I want this for the record, is it your idea that the right of interpleader would still be open in this particular case? In other words, there is a difference of some five thousand between the claim of a subcontractor and a contractor. Can the lending institution pay the five thousand into court and be out of the case?"

Senator Woody: "There is absolutely no question but that interpleader would be not only allowable but would be the favorable device to use. The same as the bonding companies do under RCW chapter 18.27, if there is more than one claimant on the bond, they just interplead them in, tender the full amount of the bond into court and let the claimants fight over the proceeds."

Senator Woody moved adoption of the following amendment:

On page 3, section 2, line 19, after "less" and before the period insert " PROVIDED, That notwithstanding such subordination of lien the owner's obligation secured by mortgage, deed of trust or other encumbrance shall not be accelerated or otherwise be deemed in default nor shall such subordination reduce or affect the owner's rights upon any commitment for a permanent mortgage".

Debate ensued.

#### MOTIONS

On motion of Senator Day, the amendment by Senator Woody was laid upon the table.

On motion of Senator Francis, Engrossed Substitute House Bill No. 264, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 264, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senator Metcalf—1.

Excused: Senators Atwood, Durkan—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, 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.

There being no objection, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, by Committee on Commerce (originally sponsored by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher):

Relating to gambling.

#### MOTION

On motion of Senator Mardesich, Engrossed Substitute House Bill No. 711 was

advanced to second reading and read the second time in full.

Senator Francis moved adoption of the following amendment:

Strike everything after "AN ACT" on page 1, line 1, and insert:

"Relating to gambling; creating the Washington state gambling commission; defining crimes; adding a new chapter to Title 9 RCW; repealing section 1, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.300; repealing section 2, chapter 280, Laws of 1971 ex. sess., section 1, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.310; repealing section 3, chapter 280, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.320; repealing section 4, chapter 280, Laws of 1971 ex. sess., section 3, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.330; repealing section 5, chapter 280, Laws of 1971 ex. sess., section 4, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.340; repealing section 6, chapter 280, Laws of 1971 ex. sess., section 5, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.350; repealing section 7, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.360; repealing section 8, chapter 280, Laws of 1971 ex. sess., section 6, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.370; repealing section 9, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.380; repealing section 11, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.390; repealing section 16, chapter 280, Laws of 1971 ex. sess., section 7, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.400; repealing section 18, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.410; repealing section 19, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.420; repealing section 20, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.430; repealing section 25, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.440; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020; repealing section 214, chapter 249, Laws of 1909 and RCW 9.59.030; repealing section 215, chapter 249, Laws of 1909 and RCW 9.59.040; repealing section 216, chapter 249, Laws of 1909 and RCW 9.59.050; repealing sections 82.28.010, 82.28.020, 82.28.030, 82.28.040, 82.28.050 and 82.28.060, chapter 15, Laws of 1961 and RCW 82.28.010, 82.28.020, 82.28.030, 82.28.040, 82.28.050 and 82.28.060; prescribing penalties; and providing for submission of this act to a vote of the people.

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

*NEW SECTION.* Section 1. The legislature hereby authorizes the conducting of bingo, raffles, and amusement games when conducted by charitable or nonprofit organizations holding permits pursuant to this chapter, and conducted pursuant to the provisions of this chapter and any rules and regulations adopted pursuant thereto, and further authorizes the operation of punch boards, pull-tabs, and social card games when conducted by a person, partnership, corporation, association or organization holding a permit pursuant to this chapter and conducted pursuant to the provisions of this chapter and any rules and regulations adopted pursuant thereto.

*NEW SECTION.* Sec. 2. The legislative authority of any county, city, or town cannot regulate, license, or tax any activity subject to licensing under this chapter.

*NEW SECTION.* Sec. 3. The following words and phrases as used in this chapter shall have the following meanings unless the context clearly requires otherwise:

(1) "Bingo" means a game in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a charitable or nonprofit organization as defined in subsection (2) of this section.

(2) "Charitable or nonprofit organization" means any organization duly existing under the provisions of chapters 24.12, 24.20 or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any other association or organization approved by the commission, which has been organized and is operated primarily for purposes other than the operation of bingo

games, raffles and amusement games.

(3) "Commission" means the Washington state gambling commission created in section 4 of this act.

(4) "Raffle" means a game in which tickets bearing an individual number are sold and in which a prize or prizes are awarded on the basis of a drawing from said tickets.

(5) "Punch boards" and "pull-tabs" shall be given their usual and ordinary meaning as of the effective date of this chapter, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(6) "Social card game" shall mean any card game having a monetary limit of not more than one dollar by each participant therein on each wager, in which success depends upon the knowledge, attention, experience, and skill of the player whereby the elements of chance in any such card game are overcome, improved, or turned to the advantage of said player, and in which no percentage of the money is returned to any individual or organization other than the participants: PROVIDED, That the types of card games and game rules may be further limited by rules and regulations promulgated by the commission as provided for herein.

(7) "Amusement game" means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome depends in a material degree upon the skill of the contestant;

(c) Only merchandise prizes are awarded;

(d) The outcome is not in the control of the operator;

(e) The wagers are placed or the fee for participation is paid, the winners are determined, and a distribution of prizes or property is made in the presence of all persons who participated in such game; and

(f) Said game is conducted by a bona fide charitable or nonprofit organization, and no person other than a bona fide member of said organization takes any part in the management or operation of said game except as provided in section 13(1) of this act, including the furnishing of equipment, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting such game or said game is conducted as part of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW.

(8) "Contest of chance" means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(9) "Gambling". A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance.

(10) "Player", except as otherwise in section 31 of this act provided, means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein: PROVIDED, That employees or officials of a nonprofit organization whose premises are not open to the general public are not engaged in "professional gambling" as defined herein by the act of providing a room, table, chairs, cards and other facilities and permitting their use by members to engage in social card games on equal terms with other



participants, such social card games being those of skill, in which the success of the player depends upon the knowledge, attention, memory, experience and skill of the player or players whereby the elements of chance are overcome, improved or turned to the advantage of the players where there is no charge to participate in the game. A person who engages in "bookmaking" as defined in this section is not a "player".

(11) A person is engaged in "professional gambling" when:

(a) Acting other than as a player or in the manner set forth in section 31 of this act, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in section 31 of this act, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity; or

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (19) of this section.

Conduct under subparagraph (a), except as exempted under section 31 of this act, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than activities as set forth in section 31 of this act, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the "prize fund" shall not be construed to be engaging in professional gambling within the meaning of this chapter: PROVIDED FURTHER, That the books and records of such bowling games shall be open to public inspection.

(12) "Gambling device" means: (a) Any device or mechanism used for professional gambling by the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism used for professional gambling which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation used in professional gambling. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay, on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, or have a mechanism or a chute for dispensing coins or a facsimile thereof, which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device.

(13) "Gambling premises" means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found shall be presumed to be intended to be used for professional gambling.

(14) "Gambling information" means any wager made in the course of and any information intended to be used for professional gambling. In the application of this

definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(15) "Thing of value" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(16) "Gambling record" means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(17) "Bookmaking" means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(18) "Whoever" and "person" include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(19) "Lottery" means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, "valuable consideration" shall not include a commercial benefit to any promotor so long as money or its equivalent does not pass to the promotor as a requirement of participation, nor do the following activities constitute "valuable consideration" as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service.

(b) Filling out a coupon or entry blank or facsimile which is received through the mail or published in a newspaper or magazine, or the purchase of a newspaper or magazine, or the purchase of a program sold in conjunction with and at a regularly scheduled sporting event.

(c) Furnishing proof of purchase if the proof required does not consist of more than the container of any product as packaged by the manufacturer, or a part thereof, or a facsimile of either.

(d) To send a coupon or entry blank or proof of purchase by United States mail to a designated address.

(e) Visitation to any business establishment to obtain a coupon, entry blank, or proof of purchase.

(f) Mere registration without purchase of goods or services.

(g) Expenditure of time, thought, attention and energy in perusing promotional material.

(h) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by federal statutes 18 United States Code sections 1304 and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

**NEW SECTION.** Sec. 4. There shall be a commission, known as the "Washington state gambling commission", consisting of five members, to be appointed by the governor, with the consent of the senate. The senate must confirm an appointment within nine months of the submission of the nomination or such appointment shall be vacated. No person shall be a member of the commission if such person is an officer or manager of any charitable or nonprofit organization, or any organization which conducts any gambling activity in this state. Members shall receive fifty dollars per diem for each day or major portion thereof spent in performance of their duties plus reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended. The governor may, in his

discretion, appoint one of the members as chairman of the commission, and a majority of the members shall constitute a quorum of the commission: PROVIDED, That all actions of the commission relating to the permits required by section 11 of this act shall require an affirmative vote by three members of the commission.

*NEW SECTION.* Sec. 5. (1) The original members of the commission shall be appointed within sixty days after the effective date of this act. The term of each member shall be six years except that the original five members shall serve initial terms of one, two, three, four, and five years, respectively, as designated by the governor. Each of the members of the commission appointed hereunder shall hold office until his successor is appointed and qualified: PROVIDED, That no member of the commission who has served or is serving a full six year term shall be eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs. No vacancy in the membership of the commission shall impair the right of the remaining member or members to act, except as herein otherwise provided.

(2) The principal office of the commission shall be at the state capitol and meetings shall be held at least quarterly and at such other times as may be called by the chairman or a majority of the commission.

(3) Any member of the commission may be removed for inefficiency, malfeasance or misfeasance in office, upon specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing, which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final. Removal of any member of the commission by the tribunal shall disqualify such member for reappointment.

(4) Before entering upon the duties of his office, each of said members of the commission shall enter into a surety bond executed by a surety company authorized to do business in this state, payable to the state of Washington, to be approved by the governor in the penal sum of fifty thousand dollars conditioned upon the faithful performance of his duties, and shall take and subscribe to the oath of office prescribed for elective state officers, which oath and bond shall be filed with the secretary of state. The premium for said bond shall be paid by the commission.

(5) The commission shall employ a full time director and such other employees as in its judgment are required to carry out the purposes of this chapter.

*NEW SECTION.* Sec. 6. The department of revenue shall have the responsibility of auditing any person, partnership, corporation, charitable or nonprofit organization, association or organization issued a permit by the commission to enforce the provisions of this chapter concerning the amount of fees required to be paid for the permits issued by the commission and to determine that the gross receipts tax imposed by this chapter is properly remitted and paid to the commission, as required by the provisions of this chapter, and the rules and regulations of the commission. The general administrative provisions of chapter 82.32 RCW pertaining to administration of taxes by the department of revenue shall apply to the administrative duties conferred on the department of revenue by this section.

*NEW SECTION.* Sec. 7. The attorney general shall be the general counsel of the state gambling commission and he may institute and prosecute any actions and proceedings which may be necessary in the enforcement and carrying out of the provisions of this chapter.

He shall assign such assistants as may be necessary to the duty of assisting the commission in the enforcement of this chapter.

*NEW SECTION.* Sec. 8. The state auditor shall audit the books, records, and affairs of the commission annually. The commission shall pay to the state treasurer for the credit of the state auditor, out of the gambling revolving fund, such funds as may be necessary to defray the costs of such audits. The commission may provide for additional audits by certified public accountants. All such audits shall be public records of the state. The payment of the audits provided for in this section shall be paid as provided in section 9 of this act for other administrative expenses.

*NEW SECTION.* Sec. 9. All administrative expenses of the commission shall be paid from the gambling revolving fund. These administrative expenses shall include, but are not

limited to: The salaries and expenses of employees, legal services, annual or other audits, and other general costs of conducting the business of the commission.

*NEW SECTION.* Sec. 10. The commission shall, from time to time, make reports to the governor covering such matters in connection with the administration and enforcement of this chapter as he may require, and the commission shall prepare and forward to the governor annually, to be laid before the legislature, a report for the period ending on the thirty-first day of December of 1973 and annually thereafter on the thirtieth day of June of each year, which report shall be a public document, and contain:

- (1) A detailed financial statement and balance sheet showing in general the condition of the commission and its operation during the year;
- (2) A summary of all prosecutions for infractions and the results thereof;
- (3) General information and remarks; and
- (4) Any further information requested by the governor or legislature.

*NEW SECTION.* Sec. 11. The commission shall have the following powers and duties:

(1) The commission shall issue permits for a period not to exceed one year to charitable or nonprofit organizations or any other nonprofit association or organization approved by the commission which meet the requirements of this chapter and any rules and regulations adopted thereunder permitting said organizations to conduct bingo games, raffles, and amusement games in accordance with the provisions of this chapter and any rules and regulations promulgated by the commission and to revoke or suspend said permits for violation of this chapter or any of the rules and regulations promulgated by the commission: **PROVIDED**, That the commission shall not limit the number of permits to be issued: **PROVIDED FURTHER**, That the commission may authorize the director to temporarily issue or suspend permits subject to final action by the commission;

(2) No charitable or nonprofit organization shall conduct bingo on more than three days during any calendar week: **PROVIDED**, That the premises used for the conducting of bingo may be used by different permit holders conducting bingo during any calendar week.

(3) The commission shall issue permits for a period not to exceed one year to any person, partnership, corporation, association, or organization approved by the commission which meets the requirements of this chapter and any rules and regulations adopted thereunder permitting said organization to conduct punch boards, pull-tabs and social card games in accordance with the provisions of this chapter and any rules and regulations promulgated by the commission and to revoke or suspend said permits for violation of this chapter or any of the rules and regulations promulgated by the commission and shall issue permits for a period not to exceed one year to any person, partnership, corporation, association or organization approved by the commission which meets the requirements of this chapter on any rules and regulations adopted thereunder to sell at wholesale to holders of permits as provided for in this chapter, punch boards and pull-tabs inspected and approved by the commission as provided for in this chapter: **PROVIDED FURTHER**, That no permit shall be required of any player, as defined in section 3 of this act, unless such permit is otherwise required by this chapter: **PROVIDED**, That the commission shall not limit the number of permits to be issued: **PROVIDED FURTHER**, That the commission may authorize the director to temporarily issue or suspend permits subject to final action by the commission;

(3) (a) The fees for permits issued pursuant to this chapter shall be as follows:

- (i) Bingo—one hundred dollars per annum.
- (ii) Raffles—twenty-five dollars per raffle.
- (iii) Amusement games—twenty-five dollars per annum.
- (iv) Punch boards and pull-tabs (nonwholesale)—one hundred dollars per location.
- (v) Punch boards and pull-tabs (wholesale)—five hundred dollars per annum:

**PROVIDED**, That all wholesalers licensed pursuant to this chapter shall file a monthly report with the commission detailing all purchases and sales.

(vi) Card rooms—two hundred and fifty dollars per annum for the first table in operation and one hundred dollars per annum for each additional table operated.

(b) All fees required by this section shall be submitted with the application for the permit and shall not be refundable. Such fees shall be paid by money order, cashier's check, manager's check, certified check, or cash.

(c) The commission, in its discretion, may waive all or any portion of the fees required by this section.

(4) There is hereby levied and shall be collected a tax on the activities authorized by this chapter as follows:

(a) Bingo—eight percent of the gross receipts for all games conducted. The tax shall be paid to the commission on a monthly basis by the 15th day of the month following.

(b) Raffles—five percent of the gross receipts of each raffle conducted. The tax shall be paid to the commission within fifteen days after the drawing.

(c) Amusement games—eight percent of the gross receipts for each game conducted. The tax shall be paid to the commission on a quarterly basis in the same manner as taxes collected pursuant to chapter 82.08 RCW.

(d) Punch boards and pull-tabs (nonwholesale)—eight percent of the cash face value on each board. The tax shall be paid by the permit holder to the commission on a quarterly basis in the same manner as taxes collected pursuant to chapter 82.08 RCW.

(5) To require applications for all permits issued to contain such information as may be required by the commission: PROVIDED, That all persons having an interest in any gambling activity, or the building in which any gambling activity occurs, or the equipment to be used for any gambling activity, or participating as an employee in the operation of any gambling activity shall be listed on the application for the permit and the applicant shall certify on the application, under oath, that the persons named on the application are all of the persons known to have an interest in any gambling activity, building, or equipment by the person making such application: PROVIDED FURTHER, That the commission may require fingerprinting and background checks on any persons seeking permits under this chapter or of any person holding an interest in any gambling activity, building or equipment to be used therefor, or of any person participating as an employee in the operation of any gambling activity;

(6) To require that any permit holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(7) To require that all income from bingo games, raffles, and amusement games be recorded at the time the income is received from each individual player and that all prizes be recorded at the time the prize is distributed to each individual player and to require that all raffle tickets be consecutively numbered and accounted for. The commission is authorized to require that all bingo receipts be made on forms approved by the commission and that all raffle tickets be approved by the commission, and that all punch boards, and pull-tabs, and the keys thereto, be approved and distributed by the commission: PROVIDED, That, in distributing punchboards and pull-tabs, the commission may inspect and approve all punchboards and pull-tabs to assure they meet the standards of this chapter and the rules and regulations of the commission, cause to be affixed on the face thereon a seal or other indication showing the approval of the commission;

(8) To determine the amount of rent or the purchase price which any permit holder may pay for any equipment with which the permit holder conducts any gambling activities, which rent or purchase price shall not be more than the fair rental or purchase price of such equipment and to approve or disapprove the equipment used by any permit holder in conducting gambling activities; and

(9) To review and determine any other fees or expenses incurred in the operation of gambling activities for which a permit is issued hereunder;

(10) To fix the amount and kind of prizes which any permit holder may award to the winners of any gambling activity;

(11) To determine reasonable compensation which may be paid to employees of permit holders directly engaged in conducting any gambling activities and to prohibit the payment of any compensation in excess of such reasonable compensation: PROVIDED, That in bingo there shall not be more than one game manager and his hourly rate of compensation shall not exceed three times the minimum wage established by state law and hourly compensation for other employees conducting bingo shall not exceed twice the minimum wage set by state law;

(12) To cooperate with and secure the cooperation of every department, agency or instrumentality in state government:

(13) To cooperate with and secure the cooperation of county, city and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities;

(14) To adopt such rules and regulations as are deemed necessary to carry out the provisions of this chapter. All rules and regulations shall be adopted pursuant to the administrative procedure act, chapter 34.04 RCW; and

(15) To perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this chapter, and the commission shall have full power to do each and every act necessary to the conduct of its duties, including all buying, selling, preparation and approval of forms and equipment, and every other function of its duties whatsoever, subject only to audit by the state auditor.

*NEW SECTION.* Sec. 12. No portion of the rental amount or purchase price of any premises shall be attributable to the gambling activities for which a permit is issued hereunder.

*NEW SECTION.* Sec. 13. (1) Except in the case of an agricultural fair as authorized under chapters 15.76 and 36.37 RCW, or a charitable or nonprofit organization whose members are physically handicapped to the extent that they are physically unable to manage or operate any gambling activity may, subject to the specific approval of the commission, employ such persons as the commission approves to manage or operate any gambling activity which the organization is otherwise permitted to conduct, no person other than a member of a charitable or nonprofit organization or any other association or organization approved by the commission, shall take any part in the management or operation of any gambling activity, and no person who takes any part in the management or operation of any gambling activity shall take any part in the management or operation of any gambling activity conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the net proceeds thereof shall inure to the benefit of any person other than the organization conducting gambling activities or specific persons designated in the application. Net proceeds for the purpose of this subsection shall mean the amount remaining after expenses for supplies, rental, prizes awarded to participants and reasonable salaries to those who manage or conduct gambling activities are deducted from the gross receipts of gambling activities.

(2) No charitable or nonprofit organization shall conduct bingo in any leased premises if the rental for such premises is to be paid, wholly or partly, on the basis of a percentage of the receipts or profits derived from the operation of bingo.

*NEW SECTION.* Sec. 14. The premises and paraphernalia, and all the books and records of any charitable or nonprofit organization conducting gambling activities and any person or organization receiving profits therefrom or having any interest therein shall be subject to inspection and audit at any reasonable time, with or without notice, upon demand, by the commission or its designee, the attorney general or his designee, the chief of the Washington state patrol or his designee or the prosecuting attorney, sheriff or director of public safety or their designees of the county wherein located, or the chief of police or his designee of any city or town in which said organization is located for the purpose of determining compliance or noncompliance with the provisions of this chapter and any rules or regulations adopted by the commission.

*NEW SECTION.* Sec. 15. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose, may inspect the books, documents and records of any person lending money to or in any manner financing any permit holder or applicant for a permit or receiving any income or profits from the use of such permit for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto. The commission, or its designee, may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to chapter 34.04 RCW.

*NEW SECTION.* Sec. 16. There shall be a fund, known as the "gambling revolving fund", which shall consist of all permit fees, penalties, forfeitures, and all other moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change

funds and an amount of petty cash as fixed by the commission within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the gambling revolving fund. Disbursements from the revolving fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the gambling revolving fund shall be subject in all respects to chapter 43.88 RCW and legislative appropriation shall be required to permit expenditures and payment of obligations from such fund.

*NEW SECTION.* Sec. 17. When excess funds are distributed all moneys subject to distribution shall go to the state general fund. Excess funds in the revolving fund shall be distributed by the commission quarterly.

*NEW SECTION.* Sec. 18. Upon determination that a violation of any provision of this chapter or any rule or regulation adopted hereunder has occurred on any property or premises for which any gambling permit has been issued by this state, such permit may be suspended by the commission for a period not to exceed thirty days for the first such violation, and for a period to be determined by the commission on any subsequent violation. Such permit may be voided at the discretion of the commission for the third such violation.

*NEW SECTION.* Sec. 19. (1) Any person who conducts gambling activities without a permit issued pursuant to section 11 (1) or (2) of this act and who also violates the provisions of sections 20, 21, 22, 25, 26(4), 26(5) or 29 of this act, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both.

(2) Any person who conducts gambling activities without a permit issued pursuant to section 11 (1) or (2) of this act and who has not violated the provisions of sections 20, 21, 22, 25, 26(4), 26(5) or 29 of this act, shall be guilty of a gross misdemeanor: PROVIDED, That upon any subsequent conviction said person shall be guilty of a felony and shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both.

(3) Any person who conducts gambling activities after obtaining a permit pursuant to section 11 (1) or (2) of this act, who also violates the provisions of sections 20, 21, 22, 25, 26(4), 26(5) or 29 of this act, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than three years or by a fine of not more than twenty-five thousand dollars, or both.

*NEW SECTION.* Sec. 20. No person shall make any false or misleading statement, or make any false or misleading entry or wilfully fail to maintain or make any entry required to be maintained or made or who wilfully refuses to produce for inspection by the commission, or its designee, any book, record, or document required to be maintained or made by federal or state law, in any application for a permit or in any book or record required to be maintained by the commission or in any report required to be submitted to the commission.

*NEW SECTION.* Sec. 21. No person shall knowingly cause, aid, abet, or conspire with another to cause any organization to violate any provision of this chapter or of any rule or regulation adopted pursuant to this chapter.

*NEW SECTION.* Sec. 22. No person or organization operating any gambling activity shall in the course of such operation:

- (1) Employ any device, scheme or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or knowingly or wilfully omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person.

*NEW SECTION.* Sec. 23. In addition to any other penalty provided for in this chapter, every person controlling the operation of any gambling activity including a director, officer, and/or manager of any association or corporation conducting the same, whether charitable, nonprofit, or profit shall be liable, jointly and severally, for money damages suffered by any person because of any violation of this chapter, together with interest on any such amount

of money damages at six percent per annum from the date of the loss, and reasonable attorneys' fees: PROVIDED, That if any such director, officer, and/or manager did not know any such violation was taking place and had taken all reasonable care to prevent any such violation from taking place, the burden of proof thereof shall be on such director, officer, and/or manager, and if such director, officer and/or manager shall sustain the burden of proof he shall not be liable hereunder. Any civil action under this section may be considered a class action for the purposes of RCW 4.08.070.

**NEW SECTION.** Sec. 24. All law enforcement officers within this state are hereby empowered to investigate and prosecute all violations of this chapter.

In addition to any and all other powers granted, the commission shall enforce the penal provisions of this chapter. The commission shall appoint and employ, assign to duty and fix the compensation of, officers to be designated as enforcement officers. Such enforcement officers shall, under the supervision of the commission, enforce the penal provisions of this chapter. They shall have the power and authority to serve and execute all warrants and process of law issued by the courts in enforcing the penal provisions of this chapter. They shall have the power to arrest without a warrant any person or persons found in the act of violating any of the penal provisions of this chapter.

**NEW SECTION.** Sec. 25. No person shall engage in professional gambling, or knowingly cause, aid, abet, or conspire with another to engage in professional gambling: PROVIDED, HOWEVER, That this section shall not apply to those activities enumerated in section 31 of this act or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

**NEW SECTION.** Sec. 26. (1) All gambling devices as defined in section 3 of this act are common nuisances and shall be subject to seizure, immediately upon detection by any peace officer, and to confiscation and destruction by order of a superior or district justice court, except when in the possession of officers enforcing this chapter.

(2) No property right in any gambling device as defined in section 3 of this act shall exist or be recognized in any person, except the possessory right of officers enforcing this chapter.

(3) All furnishings, fixtures, equipment and stock, including without limitation furnishings and fixtures adaptable to nongambling uses and equipment and stock for printing, recording, computing, transporting or safekeeping, used in connection with professional gambling or maintaining a gambling premises, and all money or other things of value at stake or displayed in or in connection with professional gambling or any gambling device used therein, shall be subject to seizure, immediately upon detection, by any peace officer, and unless good cause is shown to the contrary by the owner, shall be forfeited to the state or political subdivision by which seized by order of a court having jurisdiction, for disposition by public auction or as otherwise provided by law. Bona fide liens against property so forfeited, on good cause shown by the lienor, shall be transferred from the property to the proceeds of the sale of the property. Forfeit moneys and other proceeds realized from the enforcement of this subsection shall be paid into the general fund of the state if the property was seized by officers thereof or to the political subdivision or other public agency, if any, whose officers made the seizure, except as otherwise provided by law. This subsection shall not apply to such items utilized in activities enumerated in section 31 of this act or any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

(4) No person shall knowingly own, manufacture, possess, buy, sell, rent, lease, finance, hold a security interest in, store, repair or transport any gambling device as defined in section 3 of this act or offer or solicit any interest therein, whether through an agent or employee or otherwise: PROVIDED, HOWEVER, That this subsection shall not apply to devices used in those activities enumerated in section 31 of this act, or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission. Subsection (2) of this section shall have no application in the enforcement of this subsection. In the enforcement



of this subsection direct possession of any such gambling device shall be presumed to be knowing possession thereof.

(5) No person shall knowingly print, make, possess, store or transport any gambling record, or buy, sell, offer or solicit any interest therein, whether through an agent or employee or otherwise: PROVIDED, HOWEVER, That this subsection shall not apply to records relating to activities enumerated in section 31 of this act or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission. In the enforcement of this subsection direct possession of any such gambling record shall be presumed to be knowing possession thereof.

*NEW SECTION.* Sec. 27. No person shall knowingly transmit or receive gambling information by telephone, telegraph, radio, semaphore or similar means, or knowingly install or maintain equipment for the transmission or receipt of gambling information: PROVIDED, HOWEVER, That this section shall not apply to such information transmitted or received or equipment installed or maintained relating to activities as enumerated in section 31 of this act or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

*NEW SECTION.* Sec. 28. (1) All gambling premises are common nuisances and shall be subject to abatement by injunction or as otherwise provided by law. The plaintiff in any action brought under this subsection against any gambling premises, need not show special injury and may, in the discretion of the court, be relieved of all requirements as to giving security.

(2) When any property or premise held under a mortgage, contract or leasehold is determined by a court having jurisdiction to be a gambling premises, all rights and interests of the holder therein shall terminate and the owner shall be entitled to immediate possession at his election: PROVIDED, HOWEVER, That this subsection shall not apply to those premises in which activities set out in section 31 of this act, or any act or acts in furtherance thereof are carried on when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

*NEW SECTION.* Sec. 29. Professional gambling activities prohibited in this chapter may be enjoined in an action commenced by the attorney general or by the prosecuting attorney or legal counsel of any city or town in which the prohibited activities may occur.

*NEW SECTION.* Sec. 30. (1) Proof of possession of any device used for professional gambling or any record relating to professional gambling specified in section 26 of this act is prima facie evidence of possession thereof with knowledge of its character or contents.

(2) In any prosecution under this chapter in which it is necessary to prove the occurrence of any event which takes place outside the county where the prosecution is pending, a published report of its occurrence in any daily newspaper, magazine or any other periodically printed publication of general circulation shall constitute prima facie evidence of the occurrence of the event.

*NEW SECTION.* Sec. 31. The penalties provided for professional gambling in this chapter, shall not apply to bingo games, raffles, punch boards, pull-tabs, amusement games, or social card games when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

*NEW SECTION.* Sec. 32. The following acts or parts of acts are each hereby repealed:

- (1) Section 1, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.300;
- (2) Section 2, chapter 280, Laws of 1971 ex. sess., section 1, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.310;
- (3) Section 3, chapter 280, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.320;
- (4) Section 4, chapter 280, Laws of 1971 ex. sess., section 3, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.330;
- (5) Section 5, chapter 280, Laws of 1971 ex. sess., section 4, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.340;
- (6) Section 6, chapter 280, Laws of 1971 ex. sess., section 5, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.350;

- (7) Section 7, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.360;  
 (8) Section 8, chapter 280, Laws of 1971 ex. sess., section 6, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.370;  
 (9) Section 9, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.380;  
 (10) Section 11, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.390;  
 (11) Section 16, chapter 280, Laws of 1971 ex. sess., section 7, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.400;  
 (12) Section 18, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.410;  
 (13) Section 19, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.420;  
 (14) Section 20, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.430;  
 (15) Section 25, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.440;  
 (16) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010;  
 (17) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020;  
 (18) Section 214, chapter 249, Laws of 1909 and RCW 9.59.030;  
 (19) Section 215, chapter 249, Laws of 1909 and RCW 9.59.040;  
 (20) Section 216, chapter 249, Laws of 1909 and RCW 9.49.050; and  
 (21) Sections 82.28.010, 82.28.020, 82.28.030, 82.28.040, 82.28.050 and 82.28.060, chapter 15, Laws of 1961 and RCW 82.28.010, 82.28.020, 82.28.030, 82.28.040, 82.28.050 and 82.28.060.

*NEW SECTION.* Sec. 33. Sections 1 through 49 of this act shall constitute a new chapter in Title 9 RCW.

*NEW SECTION.* Sec. 34. 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. 35. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next general election held in this state, in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Senator Walgren moved adoption of the following amendment to the amendment by Senator Francis:

Amend the amendment by Senator Francis as follows:

Strike everything after "An Act" and substitute the following:

"Relating to bingo and raffles; creating the Washington state bingo and raffle commission; defining crimes; adding a new chapter to Title 9 RCW; repealing section 1, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.300; repealing section 2, chapter 280, Laws of 1971 ex. sess., section 1, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.310; repealing section 3, chapter 280, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.320; repealing section 4, chapter 280, Laws of 1971 ex. sess., section 3, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.330; repealing section 5, chapter 280, Laws of 1971 ex. sess., section 4, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.340; repealing section 6, chapter 280, Laws of 1971 ex. sess., section 5, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.350; repealing section 7, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.360; repealing section 8, chapter 280, Laws of 1971 ex. sess., section 6, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.370; repealing section 11, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.390; repealing section 16, chapter 280, Laws of 1971 ex. sess., section 7, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.400; repealing section 18, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.410; repealing section 19, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.420; repealing section 20, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.430; repealing section 25, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.440; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010; repealing section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205,

Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020; repealing section 214, chapter 249, Laws of 1909 and RCW 9.59.030; repealing section 215, chapter 249, Laws of 1909 and RCW 9.59.040; repealing section 216, chapter 249, Laws of 1909 and RCW 9.49.050; and prescribing penalties.

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

*NEW SECTION.* Section 1. The legislature hereby authorizes the conducting of bingo and raffles when conducted by charitable or nonprofit organizations or governmental entities holding permits pursuant to this chapter, when conducted pursuant to the provisions of this chapter and any rules and regulations adopted pursuant thereto.

*NEW SECTION.* Sec. 2. The legislative authority of any county, city, or town may prohibit, but not regulate, bingo and raffles within its jurisdiction.

*NEW SECTION.* Sec. 3. The following words and phrases as used in this chapter shall have the following meanings unless the context clearly requires otherwise:

(1) "Bingo" means a game in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a charitable or nonprofit organization as defined in subsection (2) of this section or by a governmental entity as defined in subsection (5) of this section.

(2) "Charitable or nonprofit organization" means any organization duly existing under the provisions of chapters 24.12, 24.20 or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, which has been organized and is operated primarily for purposes other than the operation of bingo games and raffles.

(3) "Commission" means the Washington state bingo and raffle commission created in section 4 of this act.

(4) "Raffle" means a game in which tickets bearing an individual number are sold and in which a prize or prizes are awarded on the basis of a drawing from said tickets.

(5) "Governmental entity" means all state agencies and all local agencies. "State agency" includes every state office, public official, department, division, bureau, board, commission or other state agency. "Local agency" includes every county, city, city and county, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(6) "Contest of chance" means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(7) "Gambling". A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include parimutuel betting as authorized by chapter 67.16 RCW, bingo and raffles as defined in this section, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance.

(8) "Player", except as otherwise in section 33 of this act provided, means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in "bookmaking" as defined in this section is not a "player".

(9) A person is engaged in "professional gambling" when:

(a) Acting other than as a player or in the manner set forth in section 33 of this act, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in section 33 of this act, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity; or

(c) He engages in bookmaking.

(d) He conducts a lottery as defined in subsection (17) of this section.

Conduct under subparagraph (a), except as exempted under section 33 of this act, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than activities as set forth in section 33 of this act, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling.

(10) "Gambling device" means: (a) Any device or mechanism used for professional gambling by the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism used for professional gambling which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation used in professional gambling. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, or have a mechanism or a chute for dispensing coins or a facsimile thereof, which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device.

(11) "Gambling premises" means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found shall be presumed to be intended to be used for professional gambling.

(12) "Gambling information" means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(13) "Thing of value" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(14) "Gambling record" means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(15) "Bookmaking" means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(16) "Whoever" and "person" include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(17) "Lottery" means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, "valuable consideration" shall not include a commercial benefit to any promotor so long as money or its equivalent does not pass to the promotor as a requirement of participation, nor do the following activities constitute "valuable consideration" as an element of a lottery:

- (a) Listening to or watching a television or radio program.
- (b) Filling out a coupon or entry blank or facsimile which is received through the mail or published in a newspaper or magazine.
- (c) Furnishing proof of purchase if the proof required does not consist of more than the container of any product as packaged by the manufacturer, or a part thereof, or a facsimile of either.
- (d) To send a coupon or entry blank or proof of purchase by United States mail to a designated address.
- (e) Visitation to any business establishment to obtain a coupon, entry blank, or proof of purchase.
- (f) Mere registration without purchase of goods or services.
- (g) Expenditure of time, thought, attention and energy in perusing promotional material.
- (h) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer.

**NEW SECTION.** Sec. 4. There shall be a commission, known as the "Washington state bingo and raffle commission", consisting of five members, to be appointed by the governor, with the consent of the senate. No person shall be appointed as a member of the commission if such person is an officer or manager of any charitable or nonprofit organization which conducts bingo or raffles in this state. Members shall receive fifty dollars per diem for each day or major portion thereof spent in performance of their duties plus reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended. The governor may, in his discretion, appoint one of the members as chairman of the commission, and a majority of the members shall constitute a quorum of the commission: PROVIDED, That all actions of the commission relating to the permits required by section 11 of this act shall require an affirmative vote by three members of the commission.

**NEW SECTION.** Sec. 5. (1) The members of the commission shall be appointed within sixty days of the effective date of this act for terms beginning July 1, 1973, and expiring as follows: One member of the commission for a term of two years from July 1, 1973; one member of the commission for a term of three years from July 1, 1973; one member for a term of four years from July 1, 1973; one member for a term of five years from July 1, 1973; and one member for a term of six years from July 1, 1973. Each of the members of the commission appointed hereunder shall hold office until his successor is appointed and qualified: PROVIDED, That no member of the commission who has served or is serving a full six year term shall be eligible for reappointment. Upon the expiration of the term of any of the five members of the commission appointed as aforesaid, each succeeding member of the commission shall be appointed and hold office for the term of six years. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs. No vacancy in the membership of the commission shall impair the right of the remaining member or members to act, except as herein otherwise provided.

- (2) The principal office of the commission shall be at the state capitol and meetings

shall be held at least quarterly and at such other times as may be called by the chairman or a majority of the commission.

(3) Any member of the commission may be removed for inefficiency, malfeasance or misfeasance in office, upon specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing, which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final. Removal of any member of the commission by the tribunal shall disqualify such member for reappointment.

(4) Before entering upon the duties of his office, each of said members of the commission shall enter into a surety bond executed by a surety company authorized to do business in this state, payable to the state of Washington, to be approved by the governor in the penal sum of fifty thousand dollars conditioned upon the faithful performance of his duties, and shall take and subscribe to the oath of office prescribed for elective state officers, which oath and bond shall be filed with the secretary of state. The premium for said bond shall be paid by the commission.

*NEW SECTION.* Sec. 6. The commission shall employ a full time director and such other employees as in its judgment are required to carry out the purposes of this chapter. All employees, except the director, the administrative assistant to the director, and the director's confidential secretary, shall be employed pursuant to chapter 41.06 RCW as now or hereafter amended.

*NEW SECTION.* Sec. 7. The attorney general shall be the general counsel of the state bingo and raffle commission and he may institute and prosecute any actions and proceedings which may be necessary in the enforcement and carrying out the provisions of this chapter.

He shall assign such assistants as may be necessary to the duty of assisting the commission in the enforcement of this chapter.

*NEW SECTION.* Sec. 8. The state auditor shall audit the books, records, and affairs of the commission annually. The commission shall pay to the state treasurer for the credit of the state auditor, out of the bingo and raffle revolving fund, such funds as may be necessary to defray the costs of such audits. The commission may provide for additional audits by certified public accountants. All such audits shall be public records of the state. The payment of the audits provided for in this section shall be paid as provided in section 9 of this act for other administrative expenses.

*NEW SECTION.* Sec. 9. All administrative expenses of the commission shall be appropriated and paid from the bingo and raffle revolving fund. These administrative expenses shall include, but are not to be limited to: The salaries and expenses of the commission and its employees, legal services, annual or other audits, and other general costs of conducting the business of the commission.

*NEW SECTION.* Sec. 10. The commission shall, from time to time, make reports to the governor covering such matters in connection with the administration and enforcement of this chapter as he may require, and the commission shall prepare and forward to the governor annually, to be laid before the legislature, a report for the period ending on the thirty-first day of December of 1973 and annually thereafter on the thirtieth day of June of each year, which report shall be a public document, and contain:

- (1) A detailed financial statement and balance sheet showing in general the condition of the commission and its operation during the year;
- (2) A summary of all prosecutions for infractions and the results thereof;
- (3) General information and remarks; and
- (4) Any further information requested by the governor or legislature.

*NEW SECTION.* Sec. 11. The commission shall have the following powers and duties:

- (1) To issue permits for a period not to exceed one year to charitable or nonprofit organizations or governmental entities permitting said organizations to conduct bingo games and raffles in accordance with the provisions of this chapter and any rules and regulations promulgated by the commission and to revoke or suspend said permits for violation of this chapter or any of the rules and regulations promulgated by the commission: PROVIDED,

That the commission shall not limit the number of permits to be issued: PROVIDED FURTHER, That the commission may authorize the director to temporarily issue or suspend permits subject to final action by the commission;

(2) To establish a minimum fee of not more than five percent of the estimated gross receipts for all permits issued and to receive ten percent of the gross receipts generated by the use of such permits;

(3) To require applications for all permits issued containing such information as may be required by the commission: PROVIDED, That all persons having an interest in any bingo game or raffle, or the building in which any bingo game or raffle occurs, or the equipment to be used for any bingo game or raffle, or participating as an employee in the operation of any bingo game or raffle shall be listed on the application for the permit and the applicant shall certify on the application, under oath, that the persons named on the application are all of the persons known to have an interest in any bingo game, raffle, building, or equipment by the person making such application: PROVIDED FURTHER, That the commission may require fingerprinting and background checks on any persons seeking permits under this chapter or of any person holding an interest in any bingo game, raffle, building or equipment to be used therefor, or of any person participating as an employee in the operation of any bingo game or raffle: AND PROVIDED FURTHER, That any person convicted of a felony or gambling offense shall not participate as an employee in the operation of any bingo game or raffle and shall not have any interest in any bingo game or raffle or the building and equipment used therefor;

(4) To require that any permit holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(5) To require that all income from bingo games be received for at the time the income is received from each individual player and to require that all raffle tickets be consecutively numbered and accounted for. The commission is authorized to require that all bingo receipts be made on forms approved by the commission and that all raffle tickets be approved by the commission;

(a) To determine the amount of rent or the purchase price which any permit holder may pay for any premises wherein the permit holder conducts bingo or raffles, which rent or purchase price shall not be more than the fair rental value or purchase price of the premises for any purpose other than the operation of a bingo game or a raffle;

(b) To determine the amount of rent or the purchase price which any permit holder may pay for any equipment with which the permit holder conducts any bingo games or raffles, which rent or purchase price shall not be more than the fair rental or purchase price of such equipment for any purpose other than the operation of a bingo game or a raffle; and

(c) To review and determine any other fees or expenses incurred in the operation of bingo games or raffles.

(7) To fix the amount and kind of prizes which any permit holder may award to the winners of bingo games or raffles;

(8) To determine reasonable compensation which may be paid to employees of permit holders and to prohibit the payment of any compensation in excess of such reasonable compensation;

(9) To cooperate with and secure the cooperation of every department, agency or instrumentality in state government;

(10) To cooperate with and secure the cooperation of county, city and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities;

(11) To adopt such rules and regulations as are deemed necessary to carry out the purposes of this chapter. All rules and regulations shall be adopted pursuant to the administrative procedure act, chapter 34.04 RCW; and

(12) To perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this chapter, and the commission shall have full power to do each and every act necessary to the conduct of its duties, including all buying, selling, preparation and approval of forms, and every other function of its duties whatsoever, subject only to audit by the state auditor.

*NEW SECTION.* Sec. 12. (1) Except in the case of an agricultural fair as authorized

under chapters 15.76 and 36.37 RCW, no person other than a member of a charitable or nonprofit organization or governmental entity shall take any part in the management or operation of bingo or raffles, and no person who takes any part in the management or operation of bingo and raffles shall take any part in the management or operation of any bingo or raffles conducted by any other organization or any other branch of the same organization and no part of the proceeds thereof shall inure to the benefit of any person other than the organization conducting bingo or raffles or specific persons designated in the application. Net proceeds for the purpose of this subsection shall mean the amount remaining after expenses for supplies, rental, prizes awarded to participants and reasonable salaries to those who manage or conduct bingo and raffles are deducted from the gross receipts of bingo and raffles.

(2) No charitable or nonprofit organization shall conduct bingo in any leased premises if rental for such premises is to be paid, wholly or partly, on the basis of a percentage of the receipts or profits derived from the operation of bingo.

*NEW SECTION.* Sec. 13. The premises and paraphernalia, and all the books and records of any charitable or nonprofit organization conducting bingo or raffles and any person or organization receiving profits therefrom or having any interest therein shall be subject to inspection and audit at any reasonable time, with or without notice, upon demand, by the commission or its employees, the attorney general or his designee, the chief of the Washington state patrol or his designee or the prosecuting attorney, sheriff or director of public safety or their designees of the county wherein located, or the chief of police or his designee of any city or town in which said organization is located for the purpose of determining compliance or noncompliance with the provisions of this chapter and any rules or regulations adopted by the commission.

*NEW SECTION.* Sec. 14. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose, may inspect the books, documents and records of any person lending money to or in any manner financing any permit holder or applicant for a permit or receiving any income or profits from the use of such permit for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto. The commission may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.

*NEW SECTION.* Sec. 15. There shall be a fund, known as the "bingo and raffle revolving fund", which shall consist of all permit fees, penalties, forfeitures, and all other moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change funds and an amount of petty cash as fixed by the commission within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the bingo and raffle revolving fund. Disbursements from the revolving fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the bingo and raffle revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund.

*NEW SECTION.* Sec. 16. Moneys in the bingo and raffle revolving fund shall be distributed by the commission at least once every three months in accordance with sections 17, 18, and 19 of this act: PROVIDED, That the commission shall reserve from distribution such amount not exceeding five hundred thousand dollars as may be necessary for the proper administration of this chapter.

*NEW SECTION.* Sec. 17. When excess funds are distributed, all moneys subject to distribution shall be disbursed as follows:

Thirty percent to the counties of the state, and seventy percent to the incorporated cities and towns of the state: PROVIDED, That such moneys shall be expended for law enforcement purposes only.

*NEW SECTION.* Sec. 18. With respect to the thirty percent share coming to the counties, the computations for distribution shall be made as follows:



The share coming to each eligible county shall be determined by a division among the eligible counties according to the relation which the population of the unincorporated area of such eligible county, as shown by the last federal or official county census, whichever is the later, bears to the population of the total combined unincorporated areas of all eligible counties, as shown by such census: PROVIDED, That no county in which bingo and raffles are forbidden in the unincorporated area thereof shall be entitled to share in such distribution. "Unincorporated area" means all that portion of any county not included within the limits of incorporated cities and towns.

*NEW SECTION.* Sec. 19. With respect to the seventy percent share coming to the incorporated cities and towns, the computations for distribution shall be made as follows:

The share coming to each eligible city or town shall be determined by a division among the eligible cities and towns within the state ratably on the basis of population as last determined by the commission: PROVIDED, That no city or town in which bingo and raffles are forbidden shall be entitled to any share in such distribution.

*NEW SECTION.* Sec. 20. Any activity conducted in violation of any provision of this chapter or of any local ordinance relating thereto may be enjoined in an action commenced by the commission, the attorney general or by the prosecuting attorney or legal counsel of any city or town in which the prohibited activity may occur.

*NEW SECTION.* Sec. 21. Any person who conducts bingo or raffles without a permit issued by the commission shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both. If any corporation conducts bingo or raffles without a permit issued by the commission, it shall be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section.

*NEW SECTION.* Sec. 22. Whoever, in any application for a permit or in any book or record required to be maintained by the commission or in any report required to be submitted to the commission, shall make any false or misleading statement, or make any false or misleading entry or wilfully fail to maintain or make any entry required to be maintained or made shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both.

*NEW SECTION.* Sec. 23. Any person who knowingly causes, aids, abets, or conspires with another to cause any organization to violate any provision of this chapter or of any rule or regulation adopted pursuant to this chapter shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both.

*NEW SECTION.* Sec. 24. Any person or organization operating a bingo or raffle, who or which, directly or indirectly, shall in the course of such operation:

- (1) Employ any device, scheme or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a felony and upon conviction shall be punished by a fine of not more than one hundred thousand dollars or imprisonment for not more than five years, or both.

*NEW SECTION.* Sec. 25. In addition to any other penalty provided for in this chapter, every person, directly or indirectly controlling the operation of any bingo game or raffle including a director, officer, and/or manager of any association or corporation conducting the same, whether charitable or nonprofit or a governmental entity, shall be liable, jointly and severally, for money damages suffered by any person because of any violation of this chapter, together with interest on any such amount of money damages at six percent per annum from the date of the loss, and reasonable attorneys' fees: PROVIDED, That if any such director, officer, and/or manager did not know any such violation was taking place and had taken all reasonable care to prevent any such violation from taking place, the burden of proof thereof shall be on such director, officer, and/or manager, and if such director, officer and/or manager shall sustain the burden of proof he shall not be liable hereunder. Any civil

action under this section may be considered a class action for the purposes of RCW 4.08.070.

*NEW SECTION.* Sec. 26. All law enforcement officers within this state are hereby empowered to investigate and prosecute all violations of this chapter.

In addition to any and all other powers granted, the commission shall enforce the penal provisions of this chapter. The commission shall appoint and employ, assign to duty and fix the compensation of, officers to be designated as enforcement officers. Such enforcement officers shall, under the supervision of the commission, enforce the penal provisions of this chapter. They shall have the power and authority to serve and execute all warrants and process of law issued by the courts in enforcing the penal provisions of this chapter. They shall have the power to arrest without a warrant any person or persons found in the act of violating any of the penal provisions of this chapter.

*NEW SECTION.* Sec. 27. Whoever engages in professional gambling, or knowingly causes, aids, abets, or conspires with another to engage in professional gambling, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this section shall not apply to those activities enumerated in section 33 of this act or to any act or acts in furtherance thereof.

*NEW SECTION.* Sec. 28. (1) All gambling devices as defined in section 3 of this act are common nuisances and shall be subject to seizure, immediately upon detection by any peace officer, and to confiscation and destruction by order of a superior or district justice court, except when in the possession of officers enforcing this chapter.

(2) No property right in any gambling device as defined in section 3 of this act shall exist or be recognized in any person, except the possessory right of officers enforcing this chapter.

(3) All furnishings, fixtures, equipment and stock, including without limitation furnishings and fixtures adaptable to nongambling uses and equipment and stock for printing, recording, computing, transporting or safekeeping, used in connection with professional gambling or maintaining a gambling premises, and all money or other things of value at stake or displayed in or in connection with professional gambling or any gambling device used therein, shall be subject to seizure, immediately upon detection, by any peace officer, and unless good cause is shown to the contrary by the owner, shall be forfeited to the state or political subdivision by which seized by order of a court having jurisdiction, for disposition by public auction or as otherwise provided by law. Bona fide liens against property so forfeited, on good cause shown by the lienor, shall be transferred from the property to the proceeds of the sale of the property. Forfeit moneys and other proceeds realized from the enforcement of this subsection shall be paid into the general fund of the state if the property was seized by officers thereof or to the political subdivision or other public agency, if any, whose officers made the seizure, except as otherwise provided by law. This subsection shall not apply to such items utilized in activities enumerated in section 33 of this act or any act or acts in furtherance thereof.

(4) Whoever knowingly owns, manufactures, possesses, buys, sells, rents, leases, finances, holds a security interest in, stores, repairs or transports any gambling device as defined in section 3 of this act or offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this subsection shall not apply to devices used in those activities enumerated in section 33 of this act, or to any act or acts in furtherance thereof. Subsection (2) of this section shall have no application in the enforcement of this subsection. In the enforcement of this subsection direct possession of any such gambling device shall be presumed to be knowing possession thereof.

(5) Whoever knowingly prints, makes, possesses, stores or transports any gambling record, or buys, sells, offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this subsection shall not apply to records relating to activities enumerated in section 33 of this act or to any act or acts in furtherance thereof. In the enforcement of this subsection direct possession of any such gambling record shall be presumed to be knowing possession thereof.

*NEW SECTION.* Sec. 29. Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore or similar means, or knowingly installs or maintains equipment for the transmission or receipt of gambling information shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this section shall not apply to such information transmitted or received or equipment installed or maintained relating to activities as enumerated in section 33 of this act or to any act or acts in furtherance thereof.

*NEW SECTION.* Sec. 30. (1) All gambling premises are common nuisances and shall be subject to abatement by injunction or as otherwise provided by law. The plaintiff in any action brought under this subsection against any gambling premises, need not show special injury and may, in the discretion of the court, be relieved of all requirements as to giving security.

(2) When any property or premise held under a mortgage, contract or leasehold is determined by a court having jurisdiction to be a gambling premises, all rights and interests of the holder therein shall terminate and the owner shall be entitled to immediate possession at his election: PROVIDED, HOWEVER, That this subsection shall not apply to those premises in which activities set out in section 33 of this act, or any act or acts in furtherance thereof are carried on.

(3) When any property or premises for which one or more permits issued by the commission are in effect, is determined by a court having jurisdiction to be a gambling premise, all such permits shall be deemed voided and no longer in effect, and no permit so voided shall be issued or reissued for such property or premises for a period of sixty days thereafter. Enforcement of this subsection shall be the duty of the commission, all peace officers and all taxing and licensing officials of this state and its political subdivisions and other public agencies. This subsection shall not apply to property or premises in which activities set out in section 33 of this act, or any act or acts in furtherance thereof, are carried on.

*NEW SECTION.* Sec. 31. Professional gambling activities prohibited in sections 27, 28, and 29 of this act may be enjoined in an action commenced by the attorney general or by the prosecuting attorney or legal counsel of any city or town in which the prohibited activities may occur.

*NEW SECTION.* Sec. 32. (1) Proof of possession of any device used for professional gambling or any record relating to professional gambling specified in section 28 of this act is prima facie evidence of possession thereof with knowledge of its character or contents.

(2) In any prosecution under this chapter in which it is necessary to prove the occurrence of any event which takes place outside the county where the prosecution is pending, a published report of its occurrence in any daily newspaper, magazine or any other periodically printed publication of general circulation shall constitute prima facie evidence of the occurrence of the event.

*NEW SECTION.* Sec. 33. The penalties provided for professional gambling in sections 27, 28, 29, and section 30(2) and (3) of this act, shall not apply to bingo games and raffles.

*NEW SECTION.* Sec. 34. The following acts or parts of acts are each hereby repealed:

- (1) Section 1, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.300;
- (2) Section 2, chapter 280, Laws of 1971 ex. sess., section 1, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.310;
- (3) Section 3, chapter 280, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.320;
- (4) Section 4, chapter 280, Laws of 1971 ex. sess., section 3, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.330;
- (5) Section 5, chapter 280, Laws of 1971 ex. sess., section 4, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.340;
- (6) Section 6, chapter 280, Laws of 1971 ex. sess., section 5, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.350;
- (7) Section 7, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.360;
- (8) Section 8, chapter 280, Laws of 1971 ex. sess., section 6, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.370;
- (9) Section 11, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.390;

(10) Section 16, chapter 280, Laws of 1971 ex. sess., section 7, chapter 141, Laws of 1972 ex. sess. and RCW 9.47.400;

(11) Section 18, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.410;

(12) Section 19, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.420;

(13) Section 20, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.430;

(14) Section 25, chapter 280, Laws of 1971 ex. sess. and RCW 9.47.440;

(15) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 212, chapter 249, Laws of 1909 and RCW 9.59.010;

(16) Section 98, page 93, Laws of 1854, section 103, page 222, Laws of 1869, section 109, page 205, Laws of 1873, section 913, Code of 1881, section 213, chapter 249, Laws of 1909 and RCW 9.59.020;

(17) Section 214, chapter 249, Laws of 1909 and RCW 9.59.030;

(18) Section 215, chapter 249, Laws of 1909 and RCW 9.59.040;

(19) Section 216, chapter 249, Laws of 1909 and RCW 9.49.050.

*NEW SECTION.* Sec. 35. Sections 1 through 33 of this act shall constitute a new chapter in Title 9 RCW.

*NEW SECTION.* Sec. 36. 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."

Senator Mardesich moved adoption of the following amendment to the amendment by Senator Walgren to the amendment by Senator Francis:

On page 10, section 10, line 30, after "legislature" and before the period insert:

"*: PROVIDED,* That the first commission appointed pursuant to section 4 of this act shall conduct a thorough study of the types of gambling activity permitted and the types of gambling activity prohibited by this act and shall submit to the session of the legislature convened in September, 1973, if there be one, or, if not, to the session of the legislature convened in January, 1974, a report making specific recommendations as to: (1) Gambling activity that ought to be permitted; (2) gambling activity that ought to be prohibited; (3) the types of licenses and permits that ought to be required; (4) the appropriate fee for each type of license and permit; and (5) the type and amount of tax that ought to be applied to each type of permitted gambling activity".

#### PARLIAMENTARY INQUIRY

Senator Woodall: "As I understand it, the first motion is a motion to amend a House bill by in fact inserting this substituted bill. Then we have a motion to amend the substituted bill by putting the first bill on it. Now, is this a further amendment to amend the amendment to the amendment? It seems to me that we are going to have to vote up or down the motion on the first amendment before we start taking amendments to the amendments to the amendments."

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "Mr. President, we recognized this problem would very likely arise when we made the motion to put the Judiciary Committee amendment on 711. However, we felt that in view of the fact that we have not yet adopted rules that this would be a perfectly proper order of business, and in view of that fact have allowed this to happen here."

#### REMARKS BY SENATOR GREIVE

Senator Greive: "It seems to me that what Senator Walgren has done is move to strike everything in the 711 and substitute his measure, which incidentally was the original Senate bill, which would be very much in order. The mere fact that there may be other possible amendments pending is one thing, but this is a complete striking of the amendment so that this would be the bill and therefore it could be amended. I do not think there is any parliamentary problem at all."

## POINT OF INQUIRY

Senator Lewis (Harry): "Mr. President, I think there is some confusion on the floor of the Senate on just what we are trying to do procedurally-wise and so let me ask Senator Mardesich a question if he will yield, just to clear the air. Senator Mardesich, it is my understanding that the amendment you suggested would be placed on Senator Walgren's amendment so we would then in effect have the municipal bill with the amendment you suggest attached to it. At that point we would have one package as Senator Walgren suggests. Then is it my understanding that we would honor Senator Greive's motion which would bring back the bill that Senator Francis describes before the Senate and we would then consider the amendments that are on our desks and after completing that work you may or may not offer the other bill? We would have the choices all before us. We would have out in the open here in front of the Senate and in front of the people of the state through the media our procedure on the gambling legislation and that this orderly procedure would resolve itself in that manner. Is this your intent, Senator?"

Senator Mardesich: "That is exactly what I had in mind. I indicated when I asked Senator Greive to withdraw his motion that I thought that this would be an attempt merely to perfect the Walgren or the Municipal Committee approach and then we would set it aside and continue with the amendments to the measure as it now stands before us, other than the Walgren amendment."

## POINT OF INQUIRY

Senator Canfield: "Would Senator Mardesich yield again? As I understand it then, all this material would be turned over to a committee, a commission, which has not yet been appointed, has it?"

Senator Mardesich: "No, as I understand it, however, Senator Canfield, each of these versions has the commission in it. And in effect all my amendment would be doing is saying that if we accept the Senator Walgren amendment or the Municipal Committee approach, which is very restrictive, what we would then be doing by my amendment is directing that commission to come back to us with a report indicating where they felt we have gone too far even in that version or where we should go further, where we could allow other forms of gambling. And that seems to me would be a very logical approach because if you finally decide today to accept neither of the other two versions but go to Senator Walgren's Municipal Committee approach, then under a very restrictive approach we should have the so-called regulators come in and recommend as to what other forms of gambling should be allowed or that they think we may have gone too far because they will have had some experience by that time."

Senator Canfield: "Of course, Senator, one of the important things in this proposal is the make-up of the commission and what attitude they would have and what consideration they would give to these various proposals, and I do not know who this commission is going to be, do you?"

Senator Mardesich: "You do not have that knowledge, nor do I, under any of the three forms being offered here today."

Senator Canfield: "And when would this commission make these recommendations back to the legislature?"

Senator Mardesich: "I would assume that they would come back the next time we are in session. If they do not come back then with recommendations we might act of our own volition or ask them to work further. It would be up to us to make the decision at that time."

Senator Canfield: "One final question. Would this commission have any input from anybody while they are considering these various proposals?"

Senator Mardesich: "I would assume they are going to have plenty of input because if we adopt any proposal they are going to have, I am sure, a great number of requests for the issuances of licenses of various sorts. They are going to have input from all of the people of the state with respect to whatever measure we do pass. And if the Walgren amendment is laid aside now, I will again offer this amendment even with respect to the other version."

The motion by Senator Mardesich carried and the amendment to the amendment by Senator Walgren to the amendment by Senator Francis was adopted.

#### MOTION

Senator Greive moved that the amendment by Senator Walgren to the amendment by Senator Francis be considered at the conclusion of consideration of the amendment by Senator Francis to Engrossed Substitute House Bill No. 711 and the amendments pending, on the Secretary's desk.

#### POINT OF INFORMATION

Senator Woodall: "Some of us have amendments at the desk and we have designated, I think, another bill. They will be construed and attached to this, will they?"

#### REPLY BY THE PRESIDENT

The President: "Yes, Senator Woodall."

#### POINT OF INQUIRY

Senator Dore: "I would like to ask Senator Greive a question. If we are going to adopt the Senator Walgren amendment as amended, is not this a lot of futility to go through all these other amendments, because this in effect will effectively amend the existing orange bill before us?"

Senator Greive: "As I pointed out, we have never really had a complete discussion of all the alternatives. True, in caucus at least, the Democrats have had a chance to consider the Senate bill, I do not think adequately, but we have had some consideration and some discussion. Nobody really at that time carefully considered 711 as it was coming out of the House. All we got were some newspaper reports and some conversations between us. We really never got down to the hard cold provisions. I would assume that as we go through the Senate version we are going to have comparisons, that people will have amendments, that there will be comparisons made between the two bills, and I think we are going to be a lot better informed. When we are all done I would like to place us in a position where we have the 711 version from the House, we have the more restrictive version from the Senate and the very restrictive version that we have presently before us and that we can make an intelligent choice and I think it will be a lot easier to make that choice when we have heard the debate."

#### POINT OF ORDER

Senator Mardesich: "We had, Mr. President, by motion a special order of business at eleven a.m. I would move that rather than take that special order now we would make Engrossed Substitute House Bill No. 862 a special order of business after the completion of action on the bill we are now considering."

The motion by Senator Greive carried. The amendment by Senator Francis will be considered prior to consideration of the amendment by Senator Walgren to the amendment by Senator Francis.

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 2, section 1, line 16, after "Section 1." insert "It is declared to be public policy to permit participation by individuals in certain games and social pastimes, which activities and social pastimes are designed more for amusement and entertainment than for profit, and which do not maliciously affect the public, nor breach the peace."

On motion of Senator Fleming, the following amendment to the amendment by Senator Francis was adopted:

On page 2, section 1, line 21, after "pull-tabs," and before "and" insert "Mah Jongg".

Senator Bottiger moved adoption of the following amendment by Senators Atwood and Bottiger to the amendment by Senator Francis:

On page 2, section 2, line 27, after "town" insert "may prohibit but".

#### POINT OF INQUIRY

Senator Lewis (Harry): "I would like to ask you a question, Senator Bottiger. Does this amendment and the language in new section 2 mean that the legislative authority of any county, city or town may prohibit any activity, may they close down one card room which is operating in a bad manner or must they close them all down? Would you clarify that please?"

Senator Bottiger: "Senator Lewis, I wish you had not added that last thing on there because I am afraid it does not do that. I think the intent of the amendment, the intent of Senator Atwood and me when we sat down with the attorney to make sure that we agreed to what we were doing was that a city or town would have the option of saying, 'No card rooms in town but you can have pull-tabs, punch boards, things like this.' You cannot regulate, the key word there, Senator Lewis, is regulate. You cannot regulate. You can prohibit any activity but you cannot license or tax or treat one class within an activity differently from another. This is what we intended to do. I disagree with Senator Woody that it is all or nothing. It is all punch boards or no punch boards, it is all card rooms or no card rooms, or any combination of activity regulated within the bill."

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Murray yield? Senator Murray, some years back Attorney General Robert Kennedy had quite a crime investigation. Now at that time he came up with the viewpoint that, as I recall reading it, one of the evils, of course, was prostitution, one of the evils was the slot machine and then also they put out some legislation attempting to control the placing of bets by wires. Was there anything in the Kennedy crime report that said that social card games were an evil thing?"

Senator Murray: "I do not claim to be an authority on the Kennedy Report."

#### POINT OF INQUIRY

Senator Woody: "Would Senator Francis yield? Substitute Senate Bill No. 2145 having been in the Judiciary Committee and being the chairman of that, could you tell me on page 2, line 27 what the import of the single word 'cannot' is?"

Senator Francis: "Senator Woody, that is not what I would regard as a narrowly drawn question but I take it you are saying with regard to the veto the word 'cannot' is one word with six letters in it."

The motion by Senator Bottiger failed and the amendment by Senators Atwood and Bottiger to the amendment by Senator Francis was not adopted on a rising vote.

There being no objection, the following amendment by Senators Atwood and Bottiger was withdrawn:

On page 3, section 2, line 24, strike "having a monetary limit of not more than one dollar by each participant therein on each wager,"

On motion of Senator Fleming, the following amendment to the amendment by Senator Francis was adopted:

On page 3, section 3, following line 33, insert a new subsection as follows:

"(7) 'Mah Jongg' means a game of Chinese origin played, usually by four persons, with one hundred thirty-six or one hundred forty-four pieces marked in suits and called 'tiles' which by drawing, discarding and exchanging are built into combinations or sets."

Re-number the remaining subsections consecutively.

On motion of Senator Fleming, the following amendment to the amendment by Senator Francis was adopted:

On page 5, section 3, line 21, after "games" insert "or Mah Jongg".

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 5, section 3(10), line 22, after "participants" and beginning with ", such" strike all the matter down to the period on line 26.

There being no objection, the amendment by Senator Grant to page 7, section 3, line 13 to the amendment by Senator Francis was withdrawn.

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 9, section 3(19), line 6, after "(d)", strike "To send" and insert "Sending".

Senator Woody moved adoption of the following amendment to the amendment by Senator Francis:

On page 9, section 3 (19)(h), line 14, after "answer" and before the period insert " PROVIDED, That where any drawing is held by in-state retail outlets in connection with business promotions authorized under subsections (e) and (f) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of such outlet".

Debate ensued.

On motion of Senator Lewis (Bob), the following amendment to the amendment by Senator Woody to the amendment by Senator Francis was adopted:

On line 6 of the amendment, after "than" strike "seven" and insert "ten".

The motion by Senator Woody carried and the amendment by Senator Woody, as amended by Senator Lewis (Bob) to the amendment by Senator Francis was adopted.

There being no objection, the following amendment by Senator Dore to the amendment by Senator Francis was withdrawn:

On page 11, section 6, line 15, after "revenue" strike "shall have the responsibility of auditing" and insert "on requests of the commission shall audit".

Senator Dore moved adoption of the following amendment by Senators Dore, Woody and Woodall to the amendment by Senator Francis:

On page 11, section 6, line 27, add a new sentence:

"Auditing by the department of revenue is not mandatory and may be waived by the director of the department at his discretion."

Debate ensued.

#### MOTION

At 12:05 p.m., on motion of Senator Mardesich, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

The Senate resumed consideration of Engrossed Substitute House Bill No. 711, the amendment by Senator Francis and the pending amendment by Senators Dore, Woody and Woodall to the amendment.

There being no objection, Senator Dore withdrew the proposed amendment to page 11, section 6, line 27.

On motion of Senator Dore, the following amendment by Senators Dore, Woody and Woodall to the amendment by Senator Francis was adopted:

On page 11, section 6, line 27, after "section." add a sentence as follows:

"Auditing by the department of revenue is not mandatory in every case and may be waived by the director of the department at his discretion."

On motion of Senator Mardesich, the following amendment to the amendment by Senator Francis was adopted:

On page 12, section 10, line 30, after "legislature" and before the period insert:

" PROVIDED, That the first commission appointed pursuant to section 4 of this act



shall conduct a thorough study of the types of gambling activity permitted and the types of gambling activity prohibited by this act and shall submit to the session of the legislature convened in September, 1973, if there be one, or, if not, to the session of the legislature convened in January, 1974, a report making specific recommendations as to: (1) Gambling activity that ought to be permitted; (2) gambling activity that ought to be prohibited; (3) the types of licenses and permits that ought to be required; (4) the appropriate fee for each type of license and permit; and (5) the type and amount of tax that ought to be applied to each type of permitted gambling activity”.

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 13, section 11(1), line 8, after “and” and before “revoke” strike “to” and insert “may”.

Senator Lewis (Harry) moved adoption of the following amendment to the amendment by Senator Francis:

On page 13, section 11, line 14, strike all of subsection (2) and renumber remaining subsections.

#### POINT OF INQUIRY

Senator Lewis (Harry): “Will Senator Canfield yield? Senator Canfield, the amendment that I proposed would permit the county fairs to conduct bingo for any length of time that they felt was necessary. It broadens rather than inhibits and my question is, why do you oppose it?”

Senator Canfield: “Mr. President and members of the body, the fairs have no desire to do exactly the thing that he is mentioning. We do not want to expand bingo as a commercial operation. We do want to restrict it, just to the few days of the fair.”

Senator Lewis (Harry): “Mr. President and members of the Senate, I do not understand that argument at all. Most fairs that I am familiar with are about two weeks in length anyway so there would not be any expansion unless you are going to lengthen the time of your fair.”

#### POINT OF INQUIRY

Senator Knoblauch: “Would Senator Lewis yield to a question? Senator, are you suggesting here that one organization should be able to hold bingo four, five, six, seven nights a week instead of three?”

Senator Lewis (Harry): “Yes, I am, Senator, the same way as I think if somebody wants to go out and play bingo six nights a week at one location I see nothing wrong with that, anymore than I see if they want to go and buy a loaf of bread at a grocery store, the same grocery store six nights a week rather than drive across town and split the business up between two people. I think this is the people’s choice in the free market, Senator, and I just do not want to talk to Alice Barnes down at the hotel here in Olympia and I do not want to say, ‘Alice, you can only play Monday, Wednesday and Friday but Thursday night you stay home and watch television and Thursday night you stay home because this legislature in its wisdom says that if you want to play elsewhere you have to drive to Tumwater and you do not have a car. Or you have to get a bus and go to Lacey and the busses don’t operate after nine o’clock.’ And I do not want Alice Barnes on my back and she wants to play bingo.”

Senator Knoblauch: “I am glad I asked that question. I have been worried about Alice for a long time.”

#### POINT OF INQUIRY

Senator Lewis (Harry): Mr. President, I wonder if Senator Francis would yield to a question? Senator Francis, you argue so strenuously for limiting bingo to three nights a week, which rationale I disagree with, but for consistency’s sake if none other, it would seem to me that if you feel that strongly about limiting bingo to three nights a week, can

you tell me why you do not restrict card room operations to only three nights a week? I do not see any consistency whatsoever in your arguments unless you can show it to me."

Senator Francis: "Senator, you seem to also have confused lumber operations and so forth with charitable organizations. The idea is that bingo and raffles are to be used by eleemosynary organizations, charitable organizations. All right. The idea behind this restriction is to allow more than one charity to be able to use bingo as a means of raising funds, perhaps in the same building. There is no limit on how often the same premises can be used. They could be used seven nights a week and Alice Barnes could be playing seven nights a week but the profits would be benefiting different charities on different nights of the week. Now the social card games and where they are located are an entirely different thing and it is not for the purpose of raising money for charity."

Senator Lewis (Harry): "Senator Francis, would you mind calling Alice Barnes for me?"

The motion by Senator Lewis (Harry) failed and the amendment to the amendment by Senator Francis was not adopted on a rising vote.

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 13, section 11, line 15, after "week" and before the colon insert "or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than 12 days, which days must be consecutive, during a single calendar year".

Senator Grant moved adoption of the following amendment by Senators Grant and Keefe to the amendment by Senator Francis:

On page 13, section 11, line 23, after "pull-tabs" and before "and" insert ", certain gambling devices authorized by the commission pursuant to section 12".

Debate ensued.

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Ridder yield? Senator Ridder, have you ever played pinball machines?"

Senator Ridder: "Yes."

Senator Peterson (Lowell): "How do you do it?"

Senator Ridder: "Which kind, single coin?"

Senator Peterson (Lowell): "How do you play the multiple coin?"

Senator Ridder: "Okay, you put the coin in and you ring up the odds and you put another coin and you ring up the odds and you pull back the little handle and you shoot the ball. It rolls up and bangs down and bangs around and your odds keep going up and up and up and if you hit the right amount it pays off."

Senator Peterson (Lowell): "You mean when the ball comes down the odds go up?"

Senator Ridder: "As it hits various places on the board. And by multiple coin you can increase those or double those odds that you get at each time until you can get some tremendous odds and, of course, if you get the right place then they pay off by jingling into the box."

Senator Peterson (Lowell): "Senator Ridder, you are probably not going to vote for this bill anyway but . . ."

Senator Ridder: "That is untrue. I am going to vote for it."

Senator Peterson (Lowell): "Do you understand the body English that is necessary to build those odds up?"

Senator Ridder: "Boy, I have seen that too. Right. A game of skill and chance."

#### POINT OF INQUIRY

Senator Van Hollebeke: "Will Senator Grant yield? Senator Grant, are you going to offer additional amendments to take care of the percentage part and perhaps also meter them like we originally had this? We had pinball machines metered so that every coin going in was metered and every coin paid off is metered. And the reason is to get as complete

control as possible and, of course, to get all the tax dollars that are rightfully . . . .”

Senator Grant: “Yes, Senator Van Hollebeke, the amendment which will provide a new section 12 of the gambling bill has been carefully drawn. I think you have a copy of it on your desk, and it does permit the gambling commission to meter the pinball machines, requires them to do that. ‘The device confers recorded rights of replay on the players thereof which right of replay are recorded on a sealed meter approved by the commission,’ subsection (2) in the new section 12 that I am offering.”

The motion by Senator Grant failed and the amendment by Senators Grant and Keefe to the amendment by Senator Francis was not adopted on a rising vote.

On motion of Senator Van Hollebeke, the following amendments to the amendment by Senator Francis were adopted:

On page 13, section 11 (3), line 25, after “and” and before “revoke” strike “to” and insert “may”.

On page 13, section 11 (3), line 30, after “chapter” and before “any” strike “on” and insert “or”.

#### POINT OF INQUIRY

Senator Woodall: “Would Senator Woody yield please? Senator Woody, on page 14, line 21, 22 it says, ‘All fees required by this section shall be submitted with the application and shall not be refundable.’ Would you explain that? If you apply for a liquor license and you get turned down you get your fee back. If you apply for any other thing and it is not granted you get your fee refunded. Why is this non-refundable?”

Senator Woody: “Senator Woodall, I do not know why you are asking me. I am not the, I was going to say godfather, to this bill but I suppose that is not a good word. I think if my memory is correct that this came out of the original bill, the original Senate Bill No. 2145, and I cannot speak on it any further than that.”

Senator Woodall: “I will hope that when we get to that area you will give me a chance to prepare an amendment. It seems grossly unfair if a man sends in two hundred and fifty dollars and it is denied that you go ahead and keep the money. Maybe Senator Francis knows.”

#### REMARKS BY SENATOR FRANCIS

Senator Francis: “Mr. President and members of the Senate, in order to help Senator Woodall with his amendment I can explain what the testimony was before the committee and that was that it was felt, number one, people who wanted a gambling permit might want to take their chances on this and so maybe there is a little element of chance there, but there is certainly good reason for letting them pay their money and leave it in and that is that it costs money to investigate. It costs money to process the application and they need the money to process it whether they grant it or not. That was the theory and that was the reason that we decided to go along with that.”

Senator Canfield moved adoption of the following amendment to the amendment by Senator Francis:

On page 14, section 11, line 6, after “commission” and before the semicolon insert “: AND PROVIDED FURTHER, That a private individual conducting bingo in his private residence for entertainment and not for profit or a nonprofit or charitable organization conducting bingo raffles or amusement games in which the gross revenue per annum does not exceed \$500 shall be exempt from said permits, fees, taxes and reporting otherwise required”.

Debate ensued.

#### POINT OF INQUIRY

Senator Canfield: “Senator Francis could be right but in reading over this bill I do not quite follow his reasoning. I remember when I was a kid they used to give, among other Christmas presents, a little game called Lotto. Do you gentlemen know what that word

means? Well, it is the Italian word for lottery. And we played lotteries when we were kids under this game of Lotto and nobody thought they were committing any crimes. And what I am trying to do in this amendment, Senator Francis, I could be wrong, you remember I asked for a little help on some of these. My intentions are good but I do want to have the right to have a bingo game in my home and invite any of you and your wives in and play a little bingo game and not be put in the jug for five years and fined a hundred thousand bucks which I haven't got. Now, if you can show me where in this bill that we are off the hook, I would like to have it specifically pointed out. Furthermore, before I sit down, I am opposed to the general thesis that every citizen is a crook or a criminal until proven otherwise. When we talk about the distrust that people have for government there is one of the reasons. If we think that everybody is a crook and it says in this bill in a later amendment that I have that you are a crook, that you are guilty, until you prove yourself innocent. How do you like that one, Senator Francis?"

Senator Francis: "I certainly agree with the last part of what you say. In fact my basic attitude, and this is the reason we have punch boards, pull-tabs and other things in here, is that people ought to be able to do what they want unless there is a very strong overriding public problem that is created by it and this is why we have the tight control. And you ask specifically, Senator Canfield, if I could spell out the player exemption for you. I could read it for you if you want. It is . . ."

Senator Canfield: "If you will please. I like to be very clear as to the wording and intent that will permit that bingo game in a private home for your friends and guests."

Senator Francis: "All right. 'Player' except as otherwise in section 31 of this act provided means the natural person who engages on equal terms with the other participants and solely as a contestant or bettor in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing without fee or remuneration acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor and supplying cards or other equipment used therein.' That is basically it. There is a proviso for employees and officials of nonprofit organizations who assist also, but for the purpose of people who want to be able to socially gamble the player exemption takes them out of this act."

Senator Bottiger: "Senator Canfield, maybe if I spell it out in simpler terms, at least my understanding of what Senator Francis read and of the full provisions of the bill. If you invite Senator Francis and me to your house to play bingo and we are all equal, you are not taking any house cut out of it but we are all equal, then the player exemption applies and you do not have to register, you do not have to pay fees, you do not have to do anything. But if you do anything in that game to give you a better shot than we, then you are a professional gambler and you have to register. Now that is as simple as I think it can be made."

Senator Murray: "Mr. President, to be specific to Senator Canfield's request to play bingo in his own home, I would recommend that under the player exemption that you have that you take one card at a time, everybody pays a dime for it, you put in a pot and you have fifty cents in the pot if five of us are playing, the one who says 'bingo' first gets the full fifty cents so that we all have an equal opportunity at it. If it accumulates for the evening or to make anything else that would make the bookkeeping more complicated, then I would suggest that you are probably running into problems with the law. Now that is the reason that I am suggesting that we not adopt your amendment, is that the bookkeeping becomes virtually impossible. A gross of five hundred dollars would have to be an accumulation of three hundred and sixty-five days of activity and would be virtually impossible for a private nonprofit individual running it strictly for fun to keep track of any kind of records that would prove or disprove that you had only operated with something not exceeding five hundred dollars in an entire year. This is one of the things that I was talking about earlier about your request that we be able to do something that I think we all agree with. You should be able to have an activity in your home with personal friends that is strictly an even

chance for everybody type of game and we do not want a law against that. By the same token, when you start trying to write a law that specifically permits that, you also open up wide loopholes for the kind of activity that we are trying to stop. I urge that we vote down this amendment."

#### POINT OF INQUIRY

Senator Woodall: "Would either Senator Bottiger or Senator Francis answer the question? Frequently I have been speaker at some service club where at the noon hour, for example, they sometimes play bingo and they have a winner but maybe he only gets paid back half of what the total amount that they paid for cards amounted to or they just plain put their names in a hat and they all ante a quarter and again the winner only gets half of it back, the balance goes into this Lions or Kiwanis or whatever it is or crippled children's fund and so forth. Now where are we on that sort of thing under this act as now written?"

Senator Bottiger: "Senator Woodall, there is an amendment on the desk that comes, I think, one or two next to handle the raffle part of your question. That is where you have the little plastic container and all the members' names are in there and they use it to stimulate attendance because if you are not present you do not win. And they build the pot up and half goes to some charity. We have an amendment up there on that. The bingo question you have asked, I think you would have to register. If the Lions are running a once a week bingo game or once a month bingo game at their meeting and taking half for a charitable purpose or any purpose I think they would have to register under the act and if you do not want them to, I think you need an amendment."

#### POINT OF INQUIRY

Senator Canfield: "Mr. President, I am not learned in the law as some of you gentlemen are but I have been reading over this section, Senator Francis. I have read it over several times and I find nothing in there to answer my question. All it does is define player but it does not give any exemption as I read the paragraph. Now maybe you can show me precisely where it does."

Senator Francis: "Senator Canfield, I had earlier read starting at the bottom line of page 13 is where the player exemption is given its effect. It says, 'Provided Further, That no permit shall be required of any player, as defined in section 3 of this act, unless such permit is otherwise required by this chapter' so that is what takes the player out of this act. Players, as defined in the definition section do not have to register or acquire a permit under this act. They are not subject to the controls of this act."

Senator Canfield: "Now where do you go from the definition? What part did you quote first?"

Senator Francis: "The quote I just made is at the bottom of page 13, refers back to the definition section and says players do not have to have a permit. The part I read earlier defined players. This says players, as I have defined, do not have to have a permit. The bottom of page 13 and the top of page 14, top two lines of page 14."

Senator Canfield: "You can assure me then, your good legal advice says that my question would be answered by this bill as now written?"

Senator Francis: "Senator Canfield, you give me pause when I say that. I had been satisfied. I had checked this out myself and had the same concern you did. That language satisfied me where it says, 'No permit shall be required of any player as defined in section 3 of this act unless such permit is otherwise required by this chapter.'"

Senator Canfield: "Thank you."

There being no objection, the amendment by Senator Canfield to the amendment by Senator Francis was withdrawn.

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 14, line 7, after "permits" and before "issued" insert "except for agricultural fairs authorized under chapters 15.76 and 36.37 RCW".

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 14, section 11, line 7, strike "(3) (a)" and insert "(4) (a)".

Reletter remaining subsections consecutively.

Senator Bottiger moved adoption of the following amendment by Senator Bottiger to the amendment by Senator Francis:

On page 14, section 11, line 10, after "raffle" and before the period insert ": PROVIDED, That if the value of the prize is \$200 or less and the value of the ticket is \$1.00 or less, no permit fee shall be required".

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Bottiger yield? Is there anywhere in this a limitation with respect to the number of raffles which may be held?"

Senator Bottiger: "I have been advised by Senator Woody and others working that there is none."

Senator Mardesich: "Then would it be possible to hold a raffle with a prize of two hundred dollars each consecutive day?"

Senator Bottiger: "You would still have to register with the commission. You would not have to pay the fee. This is a policy question, Senator Mardesich. I do not know the answer because some of these clubs meet once a week, some of them meet once a month. I cannot conceive of anybody being able to organize a going raffle with the limitation of two hundred dollars in the prize and a dollar for the ticket. If there is any other language that you would like to add I would be . . ."

#### POINT OF INQUIRY

Senator Dore: "Will Senator Bottiger yield to a question? I notice that you and I submitted the amendment on the same section here. I add the difference being two hundred dollars in prizes in the aggregate. You have it one dollar or less per ticket and two hundred dollars for the prize. In other words, under Senator Mardesich's suggestion you could have one hundred and ninety-nine dollar prizes all night and dollar tickets and not pay the twenty-five dollars at all. I might suggest to you, I wonder if an oral amendment, I think two hundred dollars is rather high as I think about it, and I just wonder, an oral amendment maybe to take your deal down to fifty dollars or adopt the language in mine that makes it prizes in the aggregate of two hundred dollars in any one day."

Senator Bottiger: "Senator Dore, I like your aggregate idea and I had not even thought of, frankly, the possibility of running several raffles."

There being no objection, the amendment by Senator Bottiger was held for consideration later today.

On motion of Senator Dore, the following amendment to the amendment by Senator Francis was adopted:

On page 14, section 11, line 13, after "location" and before the period insert "per annum".

On motion of Senator Fleming, the following amendment to the amendment by Senator Francis was adopted:

On page 14, section 11, line 18, after "card" and before "rooms" insert "or Mah Jongg".

Senator Day moved adoption of the following amendment to the amendment by Senator Francis:

On page 14, subsection (4) (vi), line 20, insert ": PROVIDED, That no card game provided for in this subsection may operate without a house dealer or house supervised rake-off."

Debate ensued.

#### POINT OF INQUIRY

Senator Henry: "Will Senator Woody yield to a question? Well, in that particular section I notice that you have a fee of two hundred and fifty dollars in a year for the one

table and one hundred dollars a year for the rest of them. How do you propose to pay this if the house is not allowed to make any money?"

Senator Woody: "At the committee hearings, of which there were many, we had people from the tavern industries, we had an interesting fellow, I cannot recall his name, up from California who ran a sandwich shop and a card room. All of them maintained, this fellow from California interests me, had three tables. He charged, and this would be allowable if the commission were to permit it, he charged fifty cents every thirty minutes for a person to be in there. Now under the rules that we have it here for the commission, the commission can permit this if they want to. The tavern people said that two hundred and fifty dollars for the first table, one hundred dollars for each additional table, this we can live with because you are going to have people in there, they are not going to sit there just smoking cigarettes. I suppose one of them will have a drink now and then. They figure they are going to make money just like they make money having pool tables in their establishments now. It is a form of entertainment, people come to their place rather than go into the place next door. They have a better pool table. They have a better card table. They have better clientele. All of them said they could live with this. We got the fee, the two hundred and fifty dollar thing up and one hundred dollars per extra table up as high as we possibly could push it in our estimation."

Further debate ensued.

The motion by Senator Day failed and the amendment to the amendment by Senator Francis was not adopted.

There being no objection, the following amendment by Senator Dore to the amendment by Senator Francis was withdrawn:

On page 14, section 11, line 10, strike the period and insert "where prizes awarded exceed a market value in excess of \$200.00."

On motion of Senator Bottiger, the following amendment by Senators Bottiger and Dore to the amendment by Senator Francis was adopted:

On page 14, line 10, after "raffle" and before the period insert ": PROVIDED, That if the aggregate of prizes awarded in any calendar month does not exceed \$200 and the price of a ticket is \$1.00 or less, no permit fee shall be required".

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 14, after line 20, insert "(vii) Agricultural fairs authorized under chapters 15.76 and 36.37 RCW:

Bingo—five dollars per day per concession.

Raffles—twenty-five dollars per raffle.

Amusement games—twenty-five dollars per fair per annum".

Senator Canfield moved adoption of the following amendment to the amendment by Senator Francis:

On page 14, line 22, after "permit" strike the rest of the sentence and insert "and not less than 50% shall be refunded if the application is denied."

#### POINT OF INQUIRY

Senator Dore: "Will Senator Canfield yield to a question? Would you say there is some expense involved? In other words, an application is made. Is not an investigation made so there is some cost to the state? Is it the purpose of your amendment in only taking back fifty percent as to allow some cost to the commission for the manpower and expense they have incurred in investigating into the particular application?"

Senator Canfield: "Senator Dore, I think I would be inaccurate to say there is not some cost in processing any kind of a document of any kind whatsoever for anybody, but I think that is covered in the fees which are granted and I do not think we should keep a person's money who is denied."

Senator Dore: "I was just trying to go along with your thinking. You think that your amendment is fair then, that fifty percent would be returned, fifty percent retained?"

Senator Canfield: "I suggested fifty percent. Senator Woodall feels that a complete

refund would be more in order and I do not question that. I would accept that if the body will."

On motion of Senator Woodall, the following amendment to the amendment by Senator Canfield to the amendment by Senator Francis was adopted:

Amend the Canfield amendment to section 11, line 22, as follows:

After "and" strike "not less than 50%".

The motion by Senator Canfield carried and the amendment, as amended, to the amendment by Senator Francis was adopted.

Senator Dore moved adoption of the following amendment to the amendment by Senator Francis:

On page 14, section 11, line 25, after "waive" and before "all" insert "or increase".

Debate ensued.

The motion by Senator Dore failed and the amendment was not adopted.

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 15, section 11, after line 9, insert "(e) In the case of agricultural fairs authorized under chapters 15.76 and 36.37 RCW the tax on bingo games, raffles and amusement games shall not exceed 5% of the gross receipts from said sources."

On motion of Senator Woodall, the following amendment to the amendment by Senator Francis was adopted:

On page 15, section 11, line 29, after "(8)", being renumbered now as "(9)" strike "To" and insert "Except in the case of an agricultural fair as authorized under chapters 15.76 and 36.37 RCW, and service clubs as part of a community celebration, to".

On motion of Senator Canfield, the following amendment to the amendment by Senator Francis was adopted:

On page 15, section 11, line 33, after "for" and before the period insert ": PROVIDED, That each agricultural fair as defined in RCW 15.76 and 36.37 shall report income from bingo, raffles and amusement games to the commission not later than 30 days after the termination of the fair".

On motion of Senator Scott, the following amendment to the amendment by Senator Francis was adopted:

On page 16, line 6, after "commission" strike "may" and insert "shall".

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 16, section 11, line 8, after "commission," and before "cause" insert "and".

On motion of Senator Lewis (Harry), the following amendment to the amendment by Senator Francis was adopted:

On page 16, section 11, line 25, after "compensation" strike the remainder of the subsection through "law" on line 30.

On motion of Senator Canfield, the following amendments to the amendment by Senator Francis were adopted:

On page 17, line 21, after "activity" and before "may" insert ", organizations".

On page 17, line 24, after the comma and before "no" insert "and".

Senator Van Hollebeke moved adoption of the following amendment to the amendment by Senator Francis:

On page 17, section 13, line 21, after "activity" strike all the material down to the comma on line 24, and on line 25 after "member" and before "of a" insert "or employee".

Debate ensued.

The motion by Senator Van Hollebeke failed and the amendment was not adopted.

On motion of Senator Lewis (Harry), the following amendment to the amendment by Senator Francis was adopted:

On page 17, section 13, line 24, after "conduct," insert "except for persons employed pursuant to section 11 (12) of this act".

Senator Woody moved adoption of the following amendment to the amendment by Senator Francis:

On page 19, section 17, line 19, strike "state general fund" and insert "superintendent of public instruction for disbursement through the common school formula for the use and



benefits of the state per pupil guarantee”.

Debate ensued.

The motion by Senator Woody failed and the amendment was not adopted on a rising vote.

Senator Dore moved adoption of the following amendment to the amendment by Senator Francis:

On page 19, section 18, beginning on line 28, after “violation.” strike the next sentence and insert “Such permit shall be voided for the third such violation.”

Debate ensued.

The motion by Senator Dore failed and the amendment was not adopted on a rising vote.

Senator Woody moved adoption of the following amendment to the amendment by Senator Francis:

On page 19, line 31, strike all of new section 19 and insert the following new section:

“*NEW SECTION.* Sec. 19 (1)(a) Any person who conducts gambling activities without a permit issued pursuant to section 11 (1) or (2) of this act and who also violates the provisions of sections 21, 25, or 26 (4), of this act, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than twenty years or by a fine of not more than one hundred thousand dollars, or both.

(b) Any person who conducts gambling activities without a permit issued pursuant to section 11 (1) or (2) of this act and who also violates the provisions of sections 20, 22, 26 (5) or 27 of this act, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both.

(2) Any person who conducts gambling activities without a permit issued pursuant to section 11 (1) or (2) of this act and who has not violated the provisions of sections 20, 21, 22, 25, 26 (4), 26 (5) or 27 of this act, shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or both: PROVIDED, That upon any subsequent conviction said person shall be guilty of a felony and shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both.

(3) (a) Any person who conducts gambling activities after obtaining a permit pursuant to section 11 (1) or (2) of this act, who also violates the provisions of sections 21, 25 or 26 (4) of this act, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than twenty-five thousand dollars, or both.

(b) Any person who conducts gambling activities after obtaining a permit pursuant to section 11 (1) or (2) of this act, who also violates the provisions of section 20, 22, 26 (5) or 27 of this act, shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars or both.

Debate ensued.

The motion by Senator Woody failed and the amendment was not adopted.

Debate ensued.

On motion of Senator Canfield, the following amendments to the amendment by Senator Francis were adopted:

On page 21, section 23, line 19, after “proof” insert “of violation” and after “shall” and before “be” insert “not”.

On page 21, section 23, line 20, after “and” strike the balance of the sentence and insert “such director, officer and/or manager shall not be liable hereunder until proven in violation.”

On motion of Senator Woodall, the following amendment to the amendment by Senator Francis was adopted:

On page 21, section 23, line 22, after “hereunder.” strike the last sentence in section 23.

On motion of Senator Fleming, the following amendment to the amendment by Senator Francis was adopted:

On page 25, section 31, line 11, after "games," and before "or" insert "Mah Jongg".

On motion of Senator Van Hollebeke, the following amendments to the amendment by Senator Francis were adopted:

On page 26, section 32, line 22, after "RCW" strike "9.49.050" and insert "9.59.050".

On page 26, section 33, line 27, after "through" strike "49" and insert "31".

Senator Van Hollebeke moved adoption of the following amendment to the amendment by Senator Francis:

On page 26, section 35, line 33, strike all of section 35.

Debate ensued.

Senator Mardesich demanded a roll call on the amendment by Senator Van Hollebeke to the amendment by Senator Francis and the demand was sustained by Senators Bailey, Washington, Greive, Herr, Sandison, Walgren, Day, Woodall and Guess.

The President declared the question before the Senate to be adoption of the amendment to the amendment. A "yes" vote strikes the referendum provision of the amendment by Senator Francis and a vote "no" keeps the referendum provision in the amendment.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Van Hollebeke to the amendment by Senator Francis was adopted by the following vote: Yeas, 26; nays, 19; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Herr, Jolly, Jones, Knoblauch, Lewis (Harry), Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Woody—26.

Voting nay: Senators Bailey, Bottiger, Canfield, Clarke, Dore, Greive, Guess, Henry, Keefe, Lewis (Bob), Marsh, Murray, Peterson (Ted), Sandison, Scott, Twigg, Washington, Whetzel, Woodall—19.

Absent or not voting: Senators Mattingly, Rasmussen, Sellar—3.

Excused: Senator Durkan—1.

Senator Lewis (Harry) moved adoption of the following amendment by Senators Lewis (Harry) and Bottiger to the amendment by Senator Francis:

On page 27, line 5, after the period, add a new section to read as follows:

"NEW SECTION. Sec. . . . Within the jurisdiction of an incorporated city or town, or all that portion of any county not included within the limits of incorporated cities and towns, there may be held, at the time and as a part of any general election, an election upon the question of whether any one, any number or all of the gambling activities authorized by this 1973 act shall be prohibited within such jurisdiction; and in the event that any such election is held in any such jurisdiction, no other election under this section shall be held for a period of two years."

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained by Senators Metcalf, Henry, Bailey, Dore, Sandison, Stortini, Woody, Canfield and Lewis (Harry).

#### ROLL CALL

The Secretary called the roll and the amendment by Senators Lewis (Harry) and Bottiger to the amendment by Senator Francis was not adopted by the following vote: Yeas, 18; nays, 28; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Dore, Gardner, Greive, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Peterson (Ted), Sandison, Wanamaker, Whetzel—18.

Voting nay: Senators Canfield, Connor, Day, Donohue, Fleming, Francis, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Newschwander, Odegaard,

Peterson (Lowell), Ridder, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woodall, Woody—28.

Absent or not voting: Senators Rasmussen, Sellar—2.

Excused: Senator Durkan—1.

#### PARLIAMENTARY INQUIRY

Senator Peterson (Lowell): "Mr. President, are not we still under a Senate rule that when we have material distributed to our desks that it is put there at the request of a Senator?"

#### REPLY BY THE PRESIDENT

The President: "The President believes that is correct, Senator."

Senator Peterson (Lowell): "There has just been a circular put out, I notice it was distributed to my desk and to all the members of the Senate, that has no Senator's name on it. It is a direct lobby for a particular measure and I think this is a breach of Senate rules. If we allow this to start happening, I cannot keep track of the amendments on my desk, let alone keeping track of some agency lobbying a bill."

#### REPLY BY THE PRESIDENT

The President: "You are correct, Senator. They are not supposed to do it unless a Senator has requested it."

#### PARLIAMENTARY INQUIRY

Senator Atwood: "Mr. President, under what Senate rule that is in effect now is this governed by?"

#### REPLY BY THE PRESIDENT

The President: "The tradition and custom."

#### REMARKS BY SENATOR ATWOOD

Senator Atwood: "It is contained in our Senate rules which we have not adopted."

The Senate resumed consideration of Engrossed Substitute House Bill No. 711.

On motion of Senator Van Hollebeke, the following amendment to the amendment by Senator Francis was adopted:

On page 17, section 13, line 21, after "activity," and before "organizations" inserted by the Canfield amendment, insert "which" and after "may" insert "employ" and on line 22, strike "employ".

Senator Lewis (Harry) moved adoption of the following amendment to the amendment by Senator Francis:

On page 27, line 5, after the period, add a new section as follows:

"NEW SECTION. Sec. . . . This act shall be known as the Alice Barnes Bingo Bill."

The motion by Senator Lewis (Harry) failed and the amendment was not adopted.

#### MOTION

Senator Mardesich moved that further consideration of Engrossed Substitute House Bill No. 711 be made a special order of business for 11:00 a.m. Friday, April 13, 1973.

Debate ensued.

The motion by Senator Mardesich carried and Engrossed Substitute House Bill No. 711, as amended by the Senate, was made a special order of business for 11:00 a.m. Friday, April 13, 1973.

## SPECIAL ORDER OF BUSINESS

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, by Committee on Ecology (originally sponsored by Representative Luders):

Making certain changes in the state air pollution control laws.

The time having arrived, the Senate resumed consideration of Engrossed Substitute House Bill No. 862, as amended by the Senate earlier today.

## MOTION FOR RECONSIDERATION

On motion of Senator Clarke, the Senate moved to reconsider the vote by which the amendment by Senator Washington to page 9, section 10, line 25, as amended by Senator Newschwander, was adopted.

The motion for reconsideration carried.

On reconsideration, the amendment by Senator Washington, as amended by Senator Newschwander, was not adopted.

On motion of Senator Washington, the following amendment was adopted:

On page 9, section 10, line 25, after "law," and before "may" on line 26, strike "the legislative body of a fire protection authority" and insert "the fire protection agency authorized to issue burning permits".

On motion of Senator Canfield, the following amendment was adopted:

On page 3, section 2, line 10, after "sources" insert "*except single family and duplex dwellings*".

On motion of Senator Washington, Engrossed Substitute House Bill No. 862, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Odegaard: "Would Senator Washington yield? Senator Washington, a couple years ago we had some problems with Southwest Washington Pollution and Air Control Authority that we thought that they were being somewhat unreasonable and the legislators from the area called in the concerned people both from the Air Pollution Control Authority and the Department of Ecology to point out some of the problems on which we thought that they were not being too cooperative; for example, with some of our people in working out these new requirements and regulations. We had it worked out quite well. We have not had the problems in the last year or so. But it is possible in the future that those problems could arise again and I am reading in page 9, new section 10, line 27, the word 'nuisances.' In addition to any other powers granted to them by law it now reads, 'The fire protection agency authorized to issue burning permits may regulate or prohibit outdoor burning in order to prevent or abate the nuisances caused by such burning.' Now is there any definition of nuisances in here? It would seem to me it might be quite a broad . . ."

Senator Washington: "No, I think your answer may be that your Southwest Fire Protection Agency is not an agency which grants permits. This would allow, as at the present time, would allow, make clear, that cities and towns can pass ordinances relating to this matter. Many towns do. This just makes it clear that we are not taking powers away from the local agencies, that they continue to have that power. Probably Centralia and cities do have nuisance statutes. It would be possible for them to amend a nuisance statute and cover burning."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 862, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-45.

Voting nay: Senator Grant-1.

Absent or not voting: Senators Sellar, Woodall-2.

Excused: Senator Durkan-1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

ENGROSSED HOUSE BILL NO. 621, by Representatives Thompson, Berentson, Perry and Polk:

Providing for environmental protection in public construction contracts.

### REPORT OF STANDING COMMITTEE

March 29, 1973.

ENGROSSED HOUSE BILL NO. 621, providing for environmental protection in public construction contracts (reported by Committee on Ecology):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 10, strike "This act" and insert "Section 1".

On page 2, following section 2, add the following new sections:

*NEW SECTION.* Sec. 3. There is added to chapter 60.28 RCW a new section to read as follows:

(1) If any delay in issuance of notice to proceed or in construction following an award of any public construction contract is primarily caused by acts or omissions of persons or agencies other than the contractor and a preliminary, special or permanent restraining order of a court of competent jurisdiction is issued pursuant to litigation and the appropriate public contracting body does not elect to delete the completion of the contract or order funds reserved paid to the contractor as provided by RCW 60.28.010(3) and 60.28.070 respectively, the appropriate contracting body will issue a change order or force account directive to cover reasonable costs incurred by the contractor as a result of such delay. These costs shall include but not be limited to contractor's costs for wages, labor costs other than wages, wage taxes, materials, equipment rentals, insurance, bonds, professional fees, and subcontracts, attributable to such delay plus a reasonable sum for overhead and profit.

In the event of a dispute between the contracting body and the contractor, arbitration procedures may be commenced under the applicable terms of the construction contract, or, if the contract contains no such provision for arbitration, under the then obtaining rules of the American Arbitration Association.

If the delay caused by litigation exceeds six months, the contractor may then elect to terminate the contract and to delete the completion of the contract and receive payment in proportion to the amount of the work completed plus the cost of the delay. Amounts retained and accumulated under RCW 60.28.010 shall be held for a period of thirty days following the election of the contractor to terminate. Election not to terminate the contract by the contractor shall not affect the accumulation of costs incurred as a result of the delay provided above.

(2) This section shall not apply to any contract awarded pursuant to an invitation for bid issued on or before the effective date of this act.

*NEW SECTION.* Sec. 4. If any provision or part of this 1973 act shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of any provision

or part of this 1973 act not adjudged invalid or unconstitutional.

On line 2 of the title, following the semicolon strike the remainder of the title, and insert: "adding new sections to chapter 60.28. RCW; setting an effective date and declaring an emergency."

Signed by: Senators Washington, Chairman; Guess, Murray, Stortini.

The bill was read the second time by sections.

On motion of Senator Guess, the committee amendments were adopted.

On motion of Senator Guess, the committee amendment to the title was adopted.

On motion of Senator Guess, Engrossed House Bill No. 621, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 621, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Francis—1.

Excused: Senator Durkan—1.

ENGROSSED HOUSE BILL NO. 621, 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.

ENGROSSED HOUSE BILL NO. 476, by Representatives Thompson, Rabel and Conner:

Defining certificated employee for the purposes of Title 28A RCW.

#### REPORT OF STANDING COMMITTEE

April 2, 1973.

ENGROSSED HOUSE BILL NO. 476, defining certificated employee for the purposes of Title 28A RCW (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

"*NEW SECTION.* Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.01 RCW a new section to read as follows:

The term "certificated employee" as used in RCW 28A.58.450 through 28A.58.515, 28A.58.445, 28A.67.065, 28A.67.070, and 28A.67.074, each as now or hereafter amended, shall include those persons who hold certificates as authorized by rule or regulation of the state board of education or the superintendent of public instruction.

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

On page 1, on line 2 of the title after "28A.01 RCW" and before the period insert "; and declaring an emergency".

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Fleming, Gardner, Grant, Marsh, Ridder, Scott.

The bill was read the second time by sections.

Senator Gardner moved adoption of the committee amendment.

Senator Atwood moved adoption of the following amendment to the committee amendment:

Strike new section 2 of the amendment by the Senate Committee on Ways and Means. Debate ensued.

The motion by Senator Atwood carried on a rising vote and the amendment to the committee amendment was adopted.

The motion by Senator Gardner carried and the committee amendment, as amended, was adopted.

On motion of Senator Atwood, the committee amendment to the title was not adopted.

On motion of Senator Atwood, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "RCW" strike "and declaring an emergency".

On motion of Senator Gardner, Engrossed House Bill No. 476, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Gardner yield? Senator, I would like to know why you struck the Senate committee amendment, and the reason I am asking I do not really know why but I had quite a number of communications from the school districts in my area and they were uniformly opposed to this bill. Yes, opposed. But I got a number of letters from individuals who were for the bill and I am wondering if you would take just a moment to explain why that could be. Is it because more and more would be called certificated personnel and get on a higher pay scale or a pension program or something of that sort or what is the reason for it?"

Senator Gardner: "Senator Canfield, I personally have had no communication with regard to opposition to this bill. I thought I would add that, one. Secondly, what it does basically, it has nothing to do with the wage structure. It simply clarifies those personnel within a school building who are termed to be certificated for purposes of coming under the professional negotiations act."

#### POINT OF INQUIRY

Senator Guess: "Will Senator Ridder yield? Senator Ridder, would the school nurse now be a certificated personnel?"

Senator Ridder: "In some cases she is, in some cases she is not. In the case where she does educate, and there are cases where school nurses carry on classes within schools and carry on a health education program, then that person would be a certificated person and would come under the RCW. Now if the Superintendent of Public Instruction through the state school board came to the conclusion that nurses were in fact educators and were able to set that as a rule of certification, they might be able to say that all nurses are certificated. I do not know whether that would be true or not, whether they would make that kind of a rule."

Senator Guess: "What classification do janitors carry?"

Senator Ridder: "Those are non-classified or non-certificated as we call it. These are only the people who work with children and the people who have an educational part to play in the school."

#### PARLIAMENTARY INQUIRY

Senator Canfield: "Perhaps I was confused, there was quite a bit of noise going on. Was the pink slip section 1 stricken? Or just section 2? Was section 1 stricken?"

#### REPLY BY THE PRESIDENT

The President: "No, Senator Canfield."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 476, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Connor, Donohue, Fleming, Lewis (Harry)—4.

Excused: Senator Durkan—1.

ENGROSSED 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.

President Pro Tempore Henry assumed the Chair.

## SECOND READING

SENATE BILL NO. 2059, by Senators Day, Woodall and Bottiger (by Legislative Council request):

Providing for the licensing of persons who fit and dispense hearing aids.

## MOTION

On motion of Senator Greive, Substitute Senate Bill No. 2059 was substituted for Senate Bill No. 2059 and the substitute bill was placed on second reading and read the second time in full.

## POINT OF INQUIRY

Senator Bailey: "Would Senator Greive yield? Senator Greive, we had a discussion of this in the Rules Committee yesterday and I am sorry I did not think to ask you about it. When we brought this bill out we knew there was another bill coming over from the House that was almost identical. I have no opposition to your amendment but I question whether or not maybe we should not take Substitute House Bill No. 674, amend this bill on to it and send it over. It looks to me like a useless gesture to send another Senate bill back to the House at this late time with the three day rule in effect."

Senator Greive: "We have the bill in the committee. There are some substantial differences between the two measures as I understand it."

Senator Bailey: "I have no objection to striking everything after the bill number, and putting your bill on."

Senator Greive: "I am not that familiar with the other bill that I am prepared at this time to say what the other bill does. I will attempt to get the other bill out but I have to take a look at it."

Debate ensued.

## MOTION

On motion by Senator Bailey, Substitute Senate Bill No. 2059 was made a special order of business for 9:45 a.m., Friday, April 13, 1973.

## MOTION

On motion of Senator Mardesich, Senate Concurrent Resolution No. 122 was ordered to hold its place on the second reading calendar for Friday, April 13, 1973.



## SECOND READING

HOUSE BILL NO. 946, by Representatives Matthews and Adams:  
Permitting the department of social and health services to adjust vendor's rates.

## MOTION

On motion of Senator Mardesich, House Bill No. 946 was referred to the Committee on Ways and Means.

## SECOND READING

ENGROSSED HOUSE BILL NO. 428, by Representatives Johnson, Kilbury and Benitz:

Appropriating funds for the construction of the Benton-Franklin mental health and family counseling center.

The bill was read the second time by sections.

On motion of Senator Mardesich, Engrossed House Bill No. 428 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 428, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Absent or not voting: Senators Connor, Donohue, Francis-3.

Excused: Senator Durkan-1.

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.

ENGROSSED HOUSE BILL NO. 721, by Representative Bagnariol:  
Changing certain of the laws relating to insurance.

## REPORT OF STANDING COMMITTEE

March 26, 1973.

ENGROSSED HOUSE BILL NO. 721, changing certain of the laws relating to insurance (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9, after "WASHINGTON:" insert a new section as follows:

"Section 1. Section .17.33, chapter 79, Laws of 1947, as amended by section 28, chapter 303, Laws of 1955 and RCW 48.17.330 are each amended to read as follows:

(1) The commissioner may license as [a life and/or disability insurance] *an* agent [only,] or as a broker, a person who is otherwise qualified therefor under this code but who is not a resident of or domiciled in this state, if by the laws of the state or province of his residence or domicile a similar privilege is extended to residents of or corporations domiciled in this state.

(2) Any such licensee shall be subject to the same obligations and limitations, and to

the commissioner's supervision as though resident or domiciled in this state, subject to RCW 48.14.040.

(3) No such person shall be so licensed unless he files the power of attorney provided for in RCW 48.17.340, and, if a corporation, it must have complied with the laws of this state governing the admission of foreign corporations."

Renumber the remaining sections.

On page 1, line 1 of the title, after "insurance;" and before "amending" insert "amending section .17.33, chapter 79, Laws of 1947, as amended by section 28, chapter 303, Laws of 1955, and RCW 48.17.330;"

Signed by: Senators Dore, Chairman; Clarke, Jones, Keefe, Mardesich.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendment was adopted.

On motion of Senator Dore, the committee amendment to the title was adopted.

On motion of Senator Dore, Engrossed House Bill No. 721, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 721, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Connor, Donohue—2.

Excused: Senator Durkan—1.

ENGROSSED HOUSE BILL NO. 721, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Mardesich, Substitute House Bill No. 1049 was ordered placed at the end of the second reading calendar for Friday, April 13, 1973.

On motion of Senator Mardesich, the Senate returned to the first order of business.

#### REPORTS OF STANDING COMMITTEES

April 11, 1973.

SENATE BILL NO. 2931, prohibiting hiring of certain employees by state when receiving public pensions of over four hundred dollars per month (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Wanamaker.

Passed to Committee on Rules for second reading.

April 12, 1973.

SUBSTITUTE HOUSE BILL NO. 174, providing for the transfer of certain functions from the DSHS to the legislative budget committee (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry),  
Wanamaker.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, providing for the regulation of  
perishable packaged food goods (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Day, Sellar, Twigg.

Passed to Committee on Rules for second reading.

#### MESSAGES FROM THE HOUSE

Mr. President: The Speaker has signed:

April 11, 1973.

SENATE BILL NO. 2025,

SENATE BILL NO. 2040,

SENATE BILL NO. 2075,

SENATE BILL NO. 2098,

SENATE BILL NO. 2139,

SENATE BILL NO. 2288,

SENATE BILL NO. 2453,

SENATE BILL NO. 2502,

SENATE BILL NO. 2515,

SENATE BILL NO. 2524,

SENATE BILL NO. 2656,

SENATE JOINT MEMORIAL NO. 102, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

Mr. President: The Speaker has signed:

April 11, 1973.

HOUSE BILL NO. 821,

HOUSE BILL NO. 1019, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 11, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 127,

HOUSE BILL NO. 483,

HOUSE BILL NO. 576,

HOUSE BILL NO. 595, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has adopted the report of the Conference Committee on  
ENGROSSED SENATE BILL NO. 2096, and has granted said committee the powers of  
Free Conference, and the report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

April 10, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No.

2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180 day school year have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference, and recommend that the bill be amended by the Free Conference Committee as follows:

That all Senate and House amendments be stricken and the bill be restored to its original form, and further that the following section be added:

“*NEW SECTION.* Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.” and further that the following title amendment be adopted:

Beginning on line 4, after “170” insert “; and declaring an emergency”.

Signed by: Senators Gardner and Odegaard; Representatives Bauer and Goltz.

#### MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### MOTION

At 5:55 p.m., on motion of Senator Mardesich, the Senate adjourned until 9:30 a.m., Friday, April 13, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## THIRTY-SIXTH DAY

### MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, April 13, 1973.

The Senate was called to order at 9:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Durkan, Greive, Lewis (Harry), Odegaard, Rasmussen and Talley. There being no objection, Senator Dore was excused.

The Color Guard, consisting of Pages Karl Erickson and Susan Langen, presented the Colors. Reverend Bart Huizenga, pastor of Evergreen Christian Reformed Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, IN YOUR PROVIDENCE THE SENATORS OF OUR STATE HAVE BEEN ASSIGNED A CHALLENGING AND DEMANDING TASK IN BEHALF OF THE PEOPLE THEY REPRESENT. THEY HAVE BEEN ASKED TO BE ALL THINGS TO ALL MEN, UNDERSTAND EVERY ISSUE, MAKE THE WISEST DECISIONS POSSIBLE, PROMOTE THE WELL-BEING OF ALL GOOD AGENCIES, GROUPS AND INDIVIDUALS; AND DO IT ALL IN A SITUATION CHARGED WITH THE PRESSURES OF TIME AND CONFLICTING OPINIONS. DEAR GOD, LONG AGO THE PROPHET ISAIAH TOLD US (ISAIAH 40:31) THAT 'THEY WHO WAIT FOR THE LORD SHALL RUN AND NOT BE WEARY'. THE COINS IN OUR POCKETS EXPRESS OUR CONVICTION, 'IN GOD WE TRUST'. WE PRAY THAT YOU WILL GRANT TO EACH AND ALL IN OUR SENATE'S ACTIVITY, THE FULFILLMENT OF THE PROMISE TO BE ABLE TO RUN AND NOT BE WEARY. AND WHEN THE CLOSING GAVEL SOUNDS GIVE TO EACH WHO RAN A SENSE OF SATISFACTION, AND GRANT THAT AMONG ALL THE VOICES THERE MAY BE HEARD ALSO THE GRATEFUL RESPONSE, 'WELL DONE, GOOD AND FAITHFUL SERVANTS'. IN JESUS' NAME, AMEN."

## MOTION

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGES FROM THE HOUSE

April 12, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2084,  
SENATE BILL NO. 2311,  
SENATE BILL NO. 2317,  
SENATE BILL NO. 2378,  
SENATE BILL NO. 2544,  
SENATE BILL NO. 2571, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 12, 1973.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 704,  
ENGROSSED HOUSE BILL NO. 901,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053,  
ENGROSSED HOUSE BILL NO. 1054, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has passed:

REENGROSSED SENATE BILL NO. 2101,  
ENGROSSED SENATE BILL NO. 2220,  
SUBSTITUTE SENATE BILL NO. 2407,  
SENATE BILL NO. 2552,  
SENATE BILL NO. 2590, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 552,  
HOUSE BILL NO. 827,  
SUBSTITUTE HOUSE BILL NO. 944.

## JOURNAL OF THE SENATE

HOUSE JOINT RESOLUTION NO. 40, and the same are herewith transmitted.  
DEAN R. FOSTER, Chief Clerk.

April 12, 1973.

Mr. President: The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 376, and passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on HOUSE BILL NO. 782, and has passed the bill as amended by the Free Conference Committee.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 722, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 324, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 306, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 369, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 392, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 105, and has passed the bill as amended by the Senate.  
DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 2328, with the following amendments:

On page 2, section 1, line 4, after "\$35,000,000:" insert "PROVIDED FURTHER, That a deviation of not more than 5% of the \$13,254,046 programmed for Program C-1 shall be spent:"

On page 2, section 1, beginning on line 30 after "Commission" strike the remainder of the paragraph and insert "is hereby authorized and directed to expend \$731,500 or so much thereof as shall be necessary and available for overlays and other construction improvements

on SR 27 from the south city limits of Tekoa to the north city limits of Fairfield, if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33, after "Fairfield" and before the period insert " : PROVIDED FURTHER, That in view of the imminent plans of the city of Seattle for construction of the West Seattle freeway, the highway commission is hereby authorized and directed to expend not to exceed \$1,000,000 or so much thereof as may be necessary and available for preliminary engineering and design of that portion of the West Seattle freeway interchange with SR 99 which the highway commission finds to be a state responsibility if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33, after "Fairfield" and before the period insert " : PROVIDED FURTHER, That in view of the fact that traffic on SR 20 between SR 5 and Sedro Woolley exceeds capacity by ten percent and with the opening of the North Cascades highway is expected to exceed capacity by eighty-five percent in 1973, the highway commission is hereby authorized and directed to expend not to exceed \$900,000 or so much thereof as may be necessary and available for preliminary engineering, design and acquisition of right of way for SR 20 from a junction with SR 5 to Sedro Woolley if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33, after "Fairfield" and before the period insert " : PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$140,000 or so much thereof as may be necessary for construction of an additional lane to make a three lane off-ramp for northbound traffic on SR 5 in south Snohomish county at northeast 205th street at Swamp Creek if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33, after "Fairfield" and before the period, insert " : PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend approximately \$2,000,000 or so much thereof as may be necessary for design, right of way acquisition and construction of a connecting roadway between SR 164 in the vicinity of the Auburn Academy and connecting with SR 18 by the most direct route if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33, after "Fairfield" and before the period insert " : PROVIDED FURTHER, That the highway commission is hereby authorized and directed to designate that portion of SR 395 between Pasco and Connell to its proper priority within its functional class in order to substantially complete programmed construction improvements for the 1973-79 period no later than July 1, 1975, if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act."

On page 2, section 1, line 33 after "of Fairfield" and before the period insert " : PROVIDED, FURTHER, That no moneys as appropriated herein shall be expended during the 1973-75 biennium on the Mottman Interchange on Highway 101, being Project No. 132C of PROGRAM C, CONSTRUCTION and moneys appropriated herein for such Mottman Interchange as foresaid shall be expended for location, design, right of way and construction of the Randall Road Interchange on Highway 101, being Project No. 132A."

On page 2, section 1, line 33 after "Fairfield" and before the period insert " : AND PROVIDED FURTHER, That if any moneys herein appropriated are expended for the location, design, or construction of an additional lane or lanes to state route number 522 between N.E. 110th Street and 68th Avenue N.E. then such location, design, or

construction shall permit and encourage the exclusive use of such lane or lanes during peak traffic periods by motor vehicles which are a part of an urban mass transit system."

On page 3, section 1, line 10, after "1974" and before the period insert "; and to prepare the 1975-77 biennium budget request based on such developed nonexpenditure workload performance criteria in order to support budgeted man-years at the district level for preliminary engineering, right of way and construction engineering activities on projects to be included in the 1975-77 biennium construction program."

On page 4, section 1, line 10 after "Support." insert a new paragraph as follows:

"It is the intent of the legislature that the highway commission devote special attention to the development of appropriate procedures for support and implementation of the comprehensive study activities of the legislative transportation committee, or the standing committees on transportation and utilities of the senate and house during the interim between legislative sessions in the 1973-75 biennium."

On page 5, section 3, line 3, strike "\$1,320,519" and insert "\$4,158,834".

On page 5, section 3, line 4, after "necessary" insert "to design and construct new, or modify existing, ferry vessels and terminals, and".

On page 5, section 3, line 11, after "purposes" and before the comma, insert ": PROVIDED FURTHER, That \$2,838,315, or so much thereof as may be necessary, of the funds authorized by this appropriation shall be utilized for the acquisition of two high-speed all-weather advanced marine vessels capable of sustained speeds in excess of 40 knots while meeting high ride quality standards in Puget Sound waters. The vessels will be used for ferry service demonstration purposes and Seattle-Bremerton ferry system service shall not be compromised during the demonstration period:

PROVIDED FURTHER, That the \$2,838,315 shall be expended only upon approval of capital grant assistance applications submitted by the toll bridge authority to the urban mass transportation administration for capital facilities and equipment necessary to develop an integrated intermodal land and high-speed over-the-water walk-on transportation system:

PROVIDED FURTHER, That the inter-modal project will be targeted for initial demonstration service during the 1973-75 biennium, and following one year of operational service by the high-speed vessels, a recommendation as to the over-all equipment requirements of the ferry system shall be prepared by the toll bridge authority for submission to the legislature:

PROVIDED FURTHER, That a program plan for this project, including objectives, tasks, participants, responsibilities, cost estimates and a summary schedule will be presented to the legislative transportation committee and/or the standing committees on transportation for review and approval by July 1, 1973."

On page 5, section 3, line 16 after "appropriation" strike all of the material down to and including "purposes" on line 23 and insert "and any part of this appropriation that will be unexpended pursuant to certification by the toll bridge authority or highway commission to the office of program planning and fiscal management shall forthwith be transferred from said account and the total of such moneys shall be distributed as follows:

- (a) ten percent to the cities and towns of the state;
- (b) thirty-three percent to the counties of the state; and
- (c) fifty-seven percent to the state to be expended as provided by RCW 46.68.130."

On page 5, section 3, line 23, after "purposes:" insert "PROVIDED FURTHER, That there is hereby appropriated from the motor vehicle fund to the toll bridge authority the sum of ninety thousand dollars for the purchase prior to September 1, 1973 of the assets of Olympic Ferries, Inc., such assets to include all ramps, docks, piers, loading and unloading facilities and real property or real property interests used therewith and further to include the certificate of convenience and necessity for ferry service between Port Townsend and Keystone and further to include any other assets but not to include a warehouse or storage facility located in the vicinity of Port Townsend."

On page 6, beginning on line 9, insert a new section as follows:

"NEW SECTION. Sec. 6. The state highway commission is hereby authorized to undertake the following study in cooperation with the interested local jurisdictions and to report its findings and recommendations in connection therewith to the legislative transportation committee or to the standing committees of the legislature on transportation



and utilities by August, 1974:

(1) The highway commission shall conduct a study of the most feasible method to allow the general public, through the state, to regain and share a portion of the private economic benefits which are conferred on adjacent property owners by the expenditures of public money for the construction and improvement of public transportation facilities including highways, roads, and streets and to expedite the construction of such transportation improvements. The following proposals shall be considered and included in the findings and recommendations:

(a) That the ad valorem taxes levied by the state or by any taxing district be segregated so that the taxes levied against any increase in the true and fair value of real property, which increase is attributable to the construction or planned construction of a public transportation facility, shall be used to reimburse prior public expenditures or to pay any indebtedness incurred for that project.

(b) That subsequent to the first official public announcement that a public transportation facility is to be developed, an excise tax be levied upon all real estate transactions involving properties lying within a specified distance of any point of access to such transportation facility. A fixed percentage of the increased valuation of such a land parcel being transferred within a specified period of time following such announcement shall be paid to the public transportation agency. In the event no real estate transaction has occurred within that specified period of time, other methods of recouping a reasonable part of the unrealized gains shall be developed.

(c) That a local improvement district be formed to assist in the financing of the development of a proposed public transportation facility within a specified distance of the access points of such facility. Varying rates could be applied as the distance from the access points increases.

(d) That a public transportation agency be allowed, within appropriate limitations and safeguards, to acquire rights of way beyond the limits of the proposed transportation facility itself in anticipation of a later resale of such properties to aid in the financing of the transportation facility.

(e) That upon the first public announcement of a proposed public transportation facility, the fair market value of all lands, or parts thereof, within a specified distance of the proposed facility, shall be discounted for any subsequent increases in value attributable to the transportation improvement when the necessary rights of way are acquired.

(2) Based on the findings and recommendations of the results of the study outlined under subsection (1) of this section the department of highways, in cooperation with the interested local jurisdictions, shall study methods by which the design, acquisition of rights of way, and construction of an interchange at state route number 5 and state route number 325 from the Swamp Creek interchange at state route number 5 to 164th Street, southwest, in south Snohomish county can be financed.

(3) There is hereby appropriated from the motor vehicle fund to the Washington state highway commission the sum of seventy-five thousand dollars or so much thereof as may be necessary to conduct the studies outlined under subsections (1) and (2) of this section: PROVIDED, That the study under subsection (2) of this section shall be undertaken only if the interested local jurisdictions agree to pay fifty percent of the cost thereof, up to a maximum amount not to exceed twenty-five thousand dollars."

Renumber remaining sections.

On page 6, beginning on line 9, insert new sections as follows:

*NEW SECTION.* Sec. 7. Notwithstanding the provisions of chapter 144, Laws of 1973, expenditures by state agencies from unanticipated receipts deposited in the contingency receipts fund may be made for obligations incurred prior to June 30, 1973.

*NEW SECTION.* Sec. 8. Agencies are hereby authorized and directed to pay their share of the 1971-73 unemployment compensation costs in accordance with section 19, chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 appropriations. The director of the office of program planning and fiscal management may require agencies to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

*NEW SECTION.* Sec. 9. 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."

Renumber remaining sections., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Walgren, the Senate refused to concur in the House amendments to Substitute Senate Bill No. 2328 and asks the House to recede therefrom.

#### MESSAGE FROM THE HOUSE

April 10, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2346, with the following amendments:

On page 2, line 6, strike everything after the enacting clause and insert the following:

"Section 1. Sec. 12, chapter 182, Laws of 1945 as amended by section 1, chapter 194, Laws of 1949 and RCW 14.08.290 are each amended to read as follows:

The establishment of county airport districts is hereby authorized. Written application for the formation of such a district signed by at least one hundred registered voters, who reside and own real estate in the proposed districts, shall be filed with the board of county commissioners. The board shall immediately transmit the application to the proper registrar of voters for the proposed district who shall check the names, residence and registration of the signers with the records of his office and shall, as soon as possible, certify to said board the number of qualified signers. If the requisite number of signers is so certified, the board shall thereupon place the proposition: "Shall a county airport district be established in the following area: (describing the proposed district?)," upon the ballot for vote of the people of the proposed district at the next election, general or special. If a majority of the voters on such proposition shall vote in favor of the proposition, the board, shall, by resolution, declare the district established. If the requisite number of qualified persons have not signed the application, further signatures may be added and certified until the requisite number have signed and the above procedure shall be thereafter followed.

The area of such district may be the area of the county including incorporated cities and towns, or such portion or portions thereof as the board may determine to be the most feasible for establishing an airport. When established, an airport district shall be a municipality as defined in this chapter and entitled to all the powers conferred by this chapter and exercised by municipal corporations in this state. The airport district is hereby empowered to levy not more than [three mills against the assessed valuation] *seventy-five cents per thousand dollars of assessed value* of the property lying within the said airport district: PROVIDED, HOWEVER, Such levy shall not be made unless first approved at any election called for the purpose of voting on such levy.

Sec. 2. Section 10, chapter 153, Laws of 1957 and RCW 17.28.100 are each amended to read as follows:

At the same election there shall be submitted to the voters residing within the district, for their approval or rejection, a proposition authorizing the mosquito control district, if formed, to levy at the earliest time permitted by law on all taxable property located within the mosquito control district a general tax, for one year, of [one mill] *twenty-five cents per thousand dollars of assessed value* in excess of any constitutional or statutory limitation for authorized purposes of the mosquito control district. The proposition shall be expressed on the ballots in substantially the following form:

"ONE YEAR [ONE MILL]

*TWENTY-FIVE CENTS PER THOUSAND DOLLARS OF ASSESSED VALUE LEVY*

"Shall the mosquito control district, if formed, levy a general tax of [one mill] *twenty-five cents per thousand dollars of assessed value* for one year upon all the taxable property within said district in excess of the [forty mill] *constitutional and/or statutory* tax limits for authorized purposes of the district?"

YES .....   
NO .....

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax [and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area of the proposed mosquito control district at the last preceding county or state general election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.*

Sec. 3. Section 4, chapter 64, Laws of 1959 and RCW 17.28.252 are each amended to read as follows:

A mosquito control district shall have the power to levy additional taxes in excess of the [forty mill] *constitutional and/or statutory* limitations for any of the authorized purposes of such district, not in excess of [two mills a] *fifty cents per thousand dollars of assessed value per year* when authorized so to do by the electors of such district by a three-fifths majority of those voting on the proposition [at a special election, to be held in the year in which the levy is made, and not oftener than twice in such year, in the manner provided by law for holding general elections] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended* at such time as may be fixed by the board of trustees for the district, which special election may be called by the board of trustees of the district, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes" and those opposing thereto to vote "No" [ : PROVIDED, That the total number of persons voting at such special election must constitute not less than forty percent of the voters in said mosquito control district who voted in the last preceding general state or county election]. Nothing herein shall be construed to prevent holding the foregoing special election at the same time as that fixed for a general election.

Sec. 4. Section 26, chapter 153, Laws of 1957 as last amended by section 5, chapter 56, Laws of 1970 ex. sess. and RCW 17.28.260 are each amended to read as follows:

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.

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 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 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 [forty mill] *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.

Sec. 5. Section 5, chapter 59, Laws of 1955 and RCW 27.12.050 are each amended to read as follows:

After the board of county commissioners has declared a rural county library district established, it shall appoint a board of library trustees and provide funds for the establishment and maintenance of library service for the district by making a tax levy on the property in the district of not more than [two mills a] *fifty cents per thousand dollars of assessed value per year* sufficient for the library service as shown to be required by the budget submitted to the board of county commissioners by the board of library trustees, and by making a tax levy in such further amount as shall be authorized pursuant to RCW 27.12.222 or RCW 84.52.052 or 84.52.056. Such levies shall be a part of the general tax roll and shall be collected as a part of the general taxes against the property in the district.

Sec. 6. Section 7, chapter 59, Laws of 1955 as amended by section 2, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.070 are each amended to read as follows:

At no time shall the total indebtedness of the district exceed an amount that could be raised by a [one mill] *fifty cents per thousand dollars of assessed value* levy on the then existing value of the taxable property of the district, as the term "value of the taxable property" is defined in RCW 39.36.015, except as provided in RCW 27.12.222 or RCW 84.52.052 or 84.52.056. The county treasurer of the county in which any rural county library district is created shall receive and disburse all district revenues and collect all taxes levied under this chapter.

Sec. 7. Section 7, chapter 75, Laws of 1947 as amended by section 8, chapter 59, Laws of 1955 and RCW 27.12.150 are each amended to read as follows:

Funds for the establishment and maintenance of the library service of the district shall be provided by the boards of county commissioners of the respective counties by means of an annual tax levy on the property in the district of not more than [two mills a] *fifty cents per thousand dollars of assessed value per year*. The tax levy in the several counties shall be at a uniform rate and shall be based on a budget to be compiled by the board of trustees of the intercounty rural library district who shall determine the uniform tax rate necessary and certify their determination to the respective boards of county commissioners.

Excess levies authorized pursuant to RCW 27.12.222 and RCW 84.52.052 or 84.52.056 shall be at a uniform rate which uniform rate shall be determined by the board of trustees of the intercounty rural library district and certified to the respective boards of county commissioners.

Sec. 8. Section 28, chapter 104, Laws of 1903 as last amended by section 26, chapter 176, Laws of 1969 ex. sess. and RCW 27.16.020 are each amended to read as follows:

Each board of county commissioners may levy a tax not exceeding [one tenth of a mill] *two and one-half cents per thousand dollars of assessed value* for the support of the circulating library in its intermediate school district. The proceeds of the tax collected shall constitute the circulating school library fund for the payment of all bills created by the intermediate school district for the purchase of books and instructional materials and fixtures. The fund shall be deposited in the office of the county treasurer in which other intermediate school district funds are deposited, and shall be payable on order of the intermediate school district board of education.

Sec. 9. Section 2, chapter 46, Laws of 1973 and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the current use of the common schools, [other than the proceeds of the state property tax,] the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 to each school district of the state operating a program approved by the state board of education an amount which, when combined with the following revenues, will constitute an equal guarantee in dollars for each weighted pupil enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180:

(1) [Eighty-five percent of the amount of revenues which would be produced by a levy of fourteen mills on the assessed valuation of taxable property within the school district adjusted to twenty-five percent of true and fair value thereof as determined by the

state department of revenue's indicated county ratio: PROVIDED, That the funds otherwise distributable under this section to any school district for any year shall be reduced by the difference between the proceeds from the actual school district tax levy in the district and the amount the maximum levy permissible for the district under RCW 84.52.050 as now or hereafter amended would produce irrespective of any delinquencies; and

(2) The receipts from the one percent tax on real estate transactions which may be imposed pursuant to chapter 28A.45 RCW: PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent; and

[(3)] (2) [Eighty-five] *One hundred* percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

[(4)] (3) [Eighty-five] *One hundred* percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

[(5)] Eighty-five percent of the proportion of the receipts from the tax imposed pursuant to RCW 82.04.291 upon harvesters of timber equal to the proportion that the millage rate for the regular property tax levy for such school district pursuant to RCW 84.52.050 as now or hereafter amended bears to the aggregate millage rate for all property tax levies for such school district, both regular and excess; and

[(6)] Eighty-five] (4) *One hundred* percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

*Notwithstanding any other provision of this chapter, allocation of moneys to school districts per enrolled student shall be an amount, not less than ninety-five percent of the amount, excluding special levies, which any such district realized from state and local funds during the immediately preceding school year.*

Sec. 10. Section 28B.20.394, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 107, Laws of 1972 ex. sess. and RCW 28B.20.394 are each amended to read as follows:

In addition to the powers conferred upon the board of regents of the University of Washington by RCW 28B.20.392 and 28B.20.380, said board is authorized and shall have the power to enter into an agreement or agreements with the city of Seattle and the county of King, Washington, to pay to said city and said county such sums as shall be mutually agreed upon for governmental services rendered to said university tract, as defined in RCW 28B.20.390 which sums shall not exceed the amounts that would be received pursuant to limitations imposed by [RCW 84.52.050] *section 134 of this 1973 amendatory act* by the said city of Seattle and county of King respectively from real and personal property taxes paid on the university tract or any leaseholds thereon if such taxes could lawfully be levied; and any such sums so agreed upon shall be paid from the proceeds and other income from said tract as an item of expense of operation and upkeep thereof: PROVIDED, That in the event that it is determined by a court of final jurisdiction that the provisions of chapter 43, Laws of 1971 first ex. sess., insofar as they affect taxes due and payable in 1972 and 1973 by any lessee of the university tract, are held unconstitutional, the sums paid pursuant to this section in such years shall be refunded in accordance with the provisions of chapter 84.69 RCW; and any provision of RCW 28B.20.392 in conflict herewith is superseded.

Sec. 11. Section 35.07.180, chapter 7, Laws of 1965 and RCW 35.07.180 are each amended to read as follows:

In the same manner and to the same extent as the proper authorities of the former city or town could have done had it not been disincorporated, the receiver shall be authorized to levy taxes on all taxable property, to receive the taxes when collected and to apply them together with the proceeds arising from sales to the extinguishment of the obligations of the former city or town.

After all the lawful claims against the former city or town have been paid excepting bonds not yet due, no levy greater than [two mills on the dollar] *fifty cents per thousand dollars of assessed value* shall be made; nor shall the levy be greater than sufficient to meet the accruing interest until the bonds mature.

Sec. 12. Section 35.10.240, chapter 7, Laws of 1965 as last amended by section 7,

chapter 89, Laws of 1969 ex. sess. and RCW 35.10.240 are each amended to read as follows:

In all cases of consolidation or annexation, the county canvassing board or boards shall canvass the votes cast thereat.

In an election on the question of consolidation the votes cast in each of such corporations shall be canvassed separately, and a statement shall be prepared showing the whole number of votes cast, the number of votes cast for consolidation and the number of votes cast against consolidation, the number of votes cast for creation of a community municipal corporation and the number of votes cast against creation of a community municipal corporation, or both, as the case may be, in each of such corporations. In case the question of the form of government of the new corporation shall have been submitted at such election, the votes thereon and on the name of the new corporation shall be canvassed, and the result of such canvass shall be included in the statement, showing the total number of votes cast in all of the corporations for each form of government submitted. A certified copy of such statement shall be filed with the legislative body of each of the corporations affected.

If it shall appear upon such statement of canvass that a majority of the votes cast in each of such corporations were in favor of consolidation or consolidation and creation of a community municipal corporation, the legislative bodies of each of such corporations shall meet in joint convention at the usual place of meeting of the legislative body of that one of the corporations having the largest population as shown by the last United States census or the determination of the planning and community affairs agency on or before the second Monday next succeeding the receipt of the statement of canvass to prepare a statement of votes cast and declaring the consolidation adopted or consolidation adopted and a community municipal corporation created, and if such issue were submitted, declaring the form of government to be that form for which a majority of all the votes on that issue were cast and the name of the consolidated city to be that name for which the greatest number of votes were cast.

In an election on the question of the annexation of all or a part of a city or town to another city or town, the votes cast in the city or town or portion thereof to be annexed shall be canvassed, and if a majority of the votes cast be in favor of annexation, the results shall be included in a statement indicating the total number of votes cast.

Both with respect to consolidation and annexation, a proposition for the assumption of indebtedness outside the [forty mill] *constitutional and/or statutory* limits by the other corporation(s) in which the indebtedness did not originate shall be deemed approved if a majority of at least three-fifths of the electors of the corporation in which the indebtedness did not originate votes in favor thereof, and the number of persons voting on such proposition constitutes not less than forty percent of the total number of votes cast in such corporations in which indebtedness did not originate at the last preceding general election: PROVIDED, HOWEVER, That if general obligation bond indebtedness was incurred by action by the city legislative body, a proposition for the assumption of such indebtedness by the other corporation(s) in which such indebtedness did not originate shall be deemed approved if a majority of the electors of the corporation in which such indebtedness did not originate votes in favor thereof.

A duly certified copy of such statement of either a consolidation or annexation election shall be filed with the legislative body of each of the corporations affected and recorded upon its minutes, and it shall be the duty of the clerk, or other officer performing the duties of clerk, of each of such legislative bodies, to transmit to the secretary of state and the planning and community affairs agency a duly certified copy of the record of such statement.

Sec. 13. Section 14, chapter 89, Laws of 1969 ex. sess. and RCW 35.10.315 are each amended to read as follows:

Upon the consolidation of two or more corporations, or the annexation of any city or town after March 1st and prior to the date of adopting the final budget and levying the property tax [millage] *dollar rate* on the first Monday in October for the next calendar year, the legislative body of the consolidated city or the annexing city is authorized to adopt the final budget and to levy the property tax [millage] *dollar rate* for the

consolidated cities or towns and any city or town annexed.

Sec. 14. Section 35.13.172, chapter 7, Laws of 1965 and RCW 35.13.172 are each amended to read as follows:

Whenever a petition is filed by either of the methods provided in RCW 35.13.020 and 35.13.130, or a resolution is adopted by the city council, as provided in RCW 35.13.015, and the area proposed for annexation is less than ten acres and less than [two] *eight* hundred thousand dollars in assessed valuation, the mayor of the city or town to which the area is proposed to be annexed and the chairman of the board of county commissioners and county superintendent of schools can agree by majority that a review proceeding, as provided herein, is not necessary for the protection of the interest of the various parties, in which case such review procedures shall be dispensed with.

Sec. 15. Section 35.21.430, chapter 7, Laws of 1965 and RCW 35.21.430 are each amended to read as follows:

On and after January 1, 1951, whenever a city or town shall acquire electric generation, transmission and/or distribution properties which at the time of acquisition were in private ownership, the legislative body thereof may each year order payments made to all taxing districts within which any part of the acquired properties are located, in amounts not greater than the taxes, exclusive of excess levies voted by the people and/or levies made for the payment of bonded indebtedness pursuant to the provisions of [the forty-mill tax law] *Article VII, section 2 of the Constitution of this state, as now or hereafter amended, and/or by statutory provision*, imposed on such properties in the last tax year in which said properties were in private ownership.

Sec. 16. Section 35.23.470, chapter 7, Laws of 1965 and RCW 35.23.470 are each amended to read as follows:

Every city of the second class having less than eighteen thousand inhabitants may create a publicity fund to be used exclusively for exploiting and advertising the general advantages and opportunities of the city and its vicinity. After providing by ordinance for a publicity fund the city council may [levy] *use* therefor an annual [special tax] *amount* not exceeding [two and one-half mills on each dollar of the] *sixty-two and one-half cents per thousand dollars of assessed valuation of the taxable property in the city.*

[All money derived from this special tax levy shall be paid into the publicity fund and paid out only upon warrants drawn against it and signed by at least two members of the publicity board.]

Sec. 17. Section 35.24.350, chapter 7, Laws of 1965 and RCW 35.24.350 are each amended to read as follows:

If by unanimous vote the city council so decides, every city of the third class may use [two mills] *fifty cents per thousand dollars of assessed value* of its regular levy for the purpose of creating a fund for any special improvement or purpose authorized by law. The resolution creating the fund must specifically designate its purpose, and the fund so created shall not be used for any purpose other than that designated in the resolution creating it except by unanimous vote of the city council.

Sec. 18. Section 35.30.020, chapter 7, Laws of 1965 and RCW 35.30.020 are each amended to read as follows:

The city council of all unclassified cities in this state are authorized to construct a sewer or system of sewers and to keep the same in repair; the cost of such sewer or sewers shall be paid from a special fund to be known as the "sewer fund" to be provided by the city council, which fund shall be created by a tax on all the property within the limits of such city: PROVIDED, That such tax shall not exceed [fifty cents on each one hundred] *one dollar and twenty-five cents per thousand* dollars of the assessed value of all real and personal property within such city for any one year. Whenever it shall become necessary for the city to take or damage private property for the purpose of making or repairing sewers, and the city council cannot agree with the owner as to the price to be paid, the city council may direct proceedings to be taken by law for the condemnation of such property for such purpose.

Sec. 19. Section 35.31.060, chapter 7, Laws of 1965 and RCW 35.31.060 are each amended to read as follows:

The city or town council after the drawing of warrants against the accident fund shall

estimate the amount necessary to pay the warrants with accrued interest thereon, and shall levy a tax sufficient to pay that amount not exceeding [three mills on the dollar] *seventy-five cents per thousand dollars of assessed value*. If a single levy of [three mills] *seventy-five cents per thousand dollars of assessed value* is not sufficient, an annual levy of [three mills] *seventy-five cents per thousand dollars of assessed value* shall be made until the warrants and interest are fully paid.

Sec. 20. Section 8, chapter 7, Laws of 1967 and RCW 35.32A.060 are each amended to read as follows:

Every city having a population of over three hundred thousand may maintain an emergency fund, which fund balance shall not exceed [one and one-half mills on each dollar of assessed valuation] *thirty-seven and one-half cents per thousand dollars of assessed value*. Such fund shall be maintained by an annual budget allowance. When the necessity therefor arises transfers may be made to the emergency fund from any tax-supported fund except bond interest and redemption funds.

The city council by an ordinance approved by two-thirds of all of its members may authorize the expenditure of sufficient money from the emergency fund to meet the expenses or obligations:

(1) Caused by fire, flood, explosion, storm, earthquake, epidemic, riot, insurrection, act of God, act of the public enemy or any other such happening that could not have been anticipated; or

(2) For the immediate preservation of order or public health or for the restoration to a condition of usefulness of public property the usefulness of which has been destroyed by accident; or

(3) In settlement of approved claims for personal injuries or property damages, exclusive of claims arising from the operation of a public utility owned by the city; or

(4) To meet mandatory expenditures required by laws enacted since the last budget was adopted.

The city council by an ordinance approved by three-fourths of all its members may appropriate from the emergency fund, an amount sufficient to meet the actual necessary expenditures of the city for which insufficient or no appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the budget.

An ordinance authorizing an emergency expenditure shall become effective immediately upon being approved by the mayor or upon being passed over his veto as provided by the city charter.

Sec. 21. Section 22, chapter 95, Laws of 1969 ex. sess. and RCW 35.33.145 are each amended to read as follows:

Every city or town may create and maintain a contingency fund to provide moneys with which to meet any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the annual budget, or from which to provide moneys for those emergencies described in RCW 35.33.081 and 35.33.091. Such fund may be supported by a budget appropriation from any tax or other revenue source not restricted in use by law, or also may be supported by a transfer from other unexpended or decreased funds made available by ordinance as set forth in RCW 35.33.121: PROVIDED, That the total amount accumulated in such fund at any time shall not exceed the equivalent of [one and one-half mills on each] *thirty-seven and one-half cents per thousand dollars* of assessed valuation of property within the city or town at such time. Any moneys in the contingency fund at the end of the fiscal year shall not lapse except upon reappropriation by the council to another fund in the adoption of a subsequent budget.

Sec. 22. Section 35.56.190, chapter 7, Laws of 1965 and RCW 35.56.190 are each amended to read as follows:

For the purpose of raising revenues to carry on any project under this chapter including funds for the payment for the lands taken, purchased, acquired or condemned and the expenses incident to the acquiring thereof, or any other cost or expenses incurred by the city under the provisions of this chapter but not including the cost of actually filling the lands for which the local improvement district was created, a city may levy an annual tax of



not exceeding [three mills on each dollar] *seventy-five cents per thousand dollars* of assessed valuation of all property within the city. The city council or commission may create a fund into which all moneys so derived from taxation and moneys derived from rents and issues of the lands shall be paid and against which special fund warrants may be drawn or negotiable bonds issued to meet expenditures under this chapter.

Sec. 23. Section 35.58.090, chapter 7, Laws of 1965 and RCW 35.58.090 are each amended to read as follows:

The election on the formation of the metropolitan municipal corporation shall be conducted by the auditor of the central county in accordance with the general election laws of the state and the results thereof shall be canvassed by the county canvassing board of the central county, which shall certify the result of the election to the board of county commissioners of the central county, and shall cause a certified copy of such canvass to be filed in the office of the secretary of state. Notice of the election shall be published in one or more newspapers of general circulation in each component county in the manner provided in the general election laws. No person shall be entitled to vote at such election unless he is a qualified voter under the laws of the state in effect at the time of such election and has resided within the metropolitan area for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

["] Shall a metropolitan municipal corporation be established for the area described in a resolution of the board of commissioners of . . . . . county adopted on the . . . . day of . . . . ., 19. . . ., to perform the metropolitan functions of . . . . . (here insert the title of each of the functions to be authorized as set forth in the petition or initial resolution).

YES . . . . .   
 NO . . . . .

If a majority of the persons voting on the proposition residing within the central city shall vote in favor thereof and a majority of the persons voting on the proposition residing in the metropolitan area outside of the central city shall vote in favor thereof, the metropolitan municipal corporation shall thereupon be established and the board of commissioners of the central county shall adopt a resolution setting a time and place for the first meeting of the metropolitan council which shall be held not later than thirty days after the date of such election. A copy of such resolution shall be transmitted to the legislative body of each component city and county and of each special district which shall be affected by the particular metropolitan functions authorized.

At the same election there shall be submitted to the voters residing within the metropolitan area, for their approval or rejection, a proposition authorizing the metropolitan municipal corporation, if formed, to levy at the earliest time permitted by law on all taxable property located within the metropolitan municipal corporation a general tax, for one year, of [one mill] *twenty-five cents per thousand dollars of assessed value* in excess of any constitutional or statutory limitation for authorized purposes of the metropolitan municipal corporation. The proposition shall be expressed on the ballots in substantially the following form:

“ONE YEAR [ONE MILL]

*TWENTY-FIVE CENTS PER THOUSAND DOLLARS OF ASSESSED VALUE LEVY*

["] Shall the metropolitan municipal corporation, if formed, levy a general tax of [one mill] *twenty-five cents per thousand dollars of assessed value* for one year upon all the taxable property within said corporation in excess of the [forty mill] *constitutional and/or statutory* tax limits for authorized purposes of the corporation?

YES . . . . .   
 NO . . . . .

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax [and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area of the proposed metropolitan municipal corporation at the last preceding county

or state general election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.*

Sec. 24. Section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 9, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.450 are each amended to read as follows:

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 per cent 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 [forty mill] *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 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 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 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 at a price not less than par and accrued interest.

Sec. 25. Section 35.61.210, chapter 7, Laws of 1965 and RCW 35.61.210 are each amended to read as follows:

The board of park commissioners may levy or cause to be levied a general tax on all the property located in said park district each year not to exceed [three mills on the assessed valuation] *seventy-five cents per thousand dollars of assessed value* of the property in such park district: PROVIDED, That notwithstanding the provisions of RCW 84.52.050, *and section 134 of this 1973 amendatory act* the board is hereby authorized to levy a general tax in excess of [three mills] *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 the requirements of the Constitution and laws of the state now in force or hereafter enacted

governing the limitation of tax levies [commonly known as the forty mill tax limitation]. The board is hereby authorized to call a special election for the purpose of submitting to the qualified voters of the park district a proposition to levy a tax in excess of the [three mills] *seventy-five cents per thousand dollars of assessed value* herein specifically authorized. The manner of submitting any such proposition, of certifying the same, and of giving or publishing notice thereof, shall be as provided by law for the submission of propositions by cities or towns. The board shall include in its general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds and may include a sufficient amount to create a sinking fund for the redemption of all outstanding bonds. The levy shall be certified to the proper county officials for collection the same as other general taxes and when collected, the general tax shall be placed in a separate fund in the office of the county treasurer to be known as the "metropolitan park district fund" and paid out on warrants.

Sec. 26. Section 35A.14.220, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.220 are each amended to read as follows:

Annexations under the provisions of RCW 35A.14.295, 35A.14.297, 35A.14.300, and 35A.14.310 shall not be subject to review by the annexation review board: PROVIDED, That in class AA, class A and first class counties in which a boundary review board is established under chapter [189, Laws of 1967 [chapter 36.93 RCW]] *36.93 RCW* all annexations shall be subject to review except as provided for in [section 11 of chapter 189, Laws of 1967 [RCW 36.93.110]] *RCW 36.93.110*. When the area proposed for annexation in a petition or resolution, initiated and filed under any of the methods of initiating annexation authorized by this chapter, is less than fifty acres or less than [five hundred thousand] *two million* dollars in assessed valuation, review procedures shall not be required as to such annexation proposal, except as provided in chapter [189, Laws of 1967 [chapter 36.93 RCW]] *36.93 RCW* in those counties with a review board established pursuant to chapter [189, Laws of 1967 [chapter 36.93 RCW]] *36.93 RCW*: PROVIDED, That when an annexation proposal is initiated by the direct petition method authorized by section 35A.14.120, review procedures shall not be required without regard to acreage or assessed valuation, except as provided in chapter [189, Laws of 1967 [chapter 36.93 RCW]] *36.93 RCW* in those counties with a boundary review board established pursuant to chapter [189, Laws of 1967 [chapter 36.93 RCW]] *36.93 RCW*.

Sec. 27. Section 35A.31.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.31.070 are each amended to read as follows:

The legislative body of the code city, after the drawing of warrants against the accident fund, shall estimate the amount necessary to pay the warrant with accrued interest thereon and may appropriate and transfer money from the contingency fund sufficient therefor, or if there is not sufficient money in the contingency fund the legislative body shall levy a tax sufficient to pay all or such unpaid portion of any judgment not exceeding [three mills on the dollar] *seventy-five cents per thousand dollars of assessed value*. If a single levy of [three mills] *seventy-five cents per thousand dollars of assessed value* is not sufficient, and if other moneys are not available therefor, an annual levy of [three mills] *seventy-five cents per thousand dollars of assessed value* shall be made until the warrants and interest are fully paid.

Sec. 28. Section 35A.33.145, chapter 119, Laws of 1967 ex. sess. and RCW 35A.33.145 are each amended to read as follows:

Every code city may create and maintain a contingency fund to provide moneys with which to meet any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the annual budget, or from which to provide moneys for those emergencies described in RCW 35A.33.080 and 35A.33.090. Such fund may be supported by a budget appropriation from any tax or other revenue source not restricted in use by law, or also may be supported by a transfer from other unexpended or decreased funds made available by ordinance as set forth in RCW 35A.33.120: PROVIDED, That the total amount accumulated in such fund at any time shall not exceed the equivalent of [one and one-half mills on each dollar] *thirty-seven and one-half cents per thousand dollars* of assessed valuation of property within the city at such time. Any moneys in the contingency fund at the end of the fiscal year shall not lapse

except upon reappropriation by the council to another fund in the adoption of a subsequent budget.

Sec. 29. Section 35A.40.090, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 42, Laws of 1970 ex. sess. and RCW 35A.40.090 are each amended to read as follows:

No code city shall incur an indebtedness exceeding three-fourths of one percent of the value of the taxable property in such city without the assent of three-fifths of the voters therein voting at an election to be held for that purpose nor, with such assent, to exceed two and one-half percent of the value of the taxable property therein except as otherwise provided in chapter 39.36 RCW and subject to the provisions of this chapter and shall have the authority and be subject to the *constitutional and/or statutory* limitations [provided in RCW 84.52.050] relating to levy of taxes [within the forty mill limit]. The term "value of the taxable property" shall have the meaning set forth in RCW 39.36.015.

Sec. 30. Section 36.32.350, chapter 4, Laws of 1963 as last amended by section 3, chapter 85, Laws of 1971 ex. sess. and RCW 36.32.350 are each amended to read as follows:

County commissioners may designate the Washington state association of counties as a coordinating agency in the execution of duties imposed by RCW 36.32.335 through 36.32.360 and reimburse the association from county current expense funds in the county commissioners' budget for the costs of any such services rendered: PROVIDED, That the total of such reimbursements from any county in any calendar year shall not exceed a sum equal to the amount which would be raised by a levy of [one two-hundredths of a mill] *one-half of one cent per thousand dollars of assessed value* against [the actual value of] the taxable property of the county. Such reimbursement shall be paid on vouchers submitted to the county auditor and approved by the board of county commissioners in the manner provided for the disbursement of other current expense funds and the vouchers shall set forth the nature of the service rendered, supported by affidavit that the service has actually been performed.

Sec. 31. Section 36.33.140, chapter 4, Laws of 1963 and RCW 36.33.140 are each amended to read as follows:

The amount of the levy in any year for the county lands assessment fund shall not exceed the estimated amount needed over and above all moneys on hand in the fund, to pay the aggregate amount of such assessments falling due against the lands in the ensuing year; and in no event shall the levy exceed [one-half of one mill] *twelve and one-half cents per thousand dollars of assessed value* upon all taxable property in the county.

Sec. 32. Section 1, chapter 25, Laws of 1971 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 [millage] *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 section 134 of this 1973 amendatory act.*

Sec. 33. Section 36.40.090, chapter 4, Laws of 1963 and RCW 36.40.090 are each amended to read as follows:

The board of county commissioners shall then fix the amount of the levies necessary to raise the amount of the estimated expenditures as finally determined, less the total of the estimated revenues from sources other than taxation, including such portion of any available surplus as in the discretion of the board it shall be advisable to so use, and such expenditures as are to be met from bond or warrant issues: PROVIDED, That no county shall retain an unbudgeted cash balance in the current expense fund in excess of a sum equal to the proceeds of a [five mill] *one dollar and twenty-five cents per thousand dollars of assessed value* levy against the assessed valuation of the county. All taxes shall be levied in specific sums and shall not exceed the amount specified in the preliminary budget.

Sec. 34. Section 1, chapter 102, Laws of 1972 ex. sess. and RCW 36.40.300 are each amended to read as follows:

In each year that the state provides financial aid to the counties for a county revaluation program, the county- assumed portion of the costs of such revaluation program

including administrative costs, but excluding any costs pertaining to the development of new data processing programs, shall be shared by all local taxing districts within the county authorized to make levies pursuant to RCW 84.52.050. Such sharing shall be for those costs incurred during 1972 and 1973 only. For the years 1972 and 1973 during which, such state financial aid is received, the county treasurer shall compute the proportionate amount of the county-assumed portion of the costs of revaluation in direct proportion to the ratio of basic property tax as authorized by RCW 84.52.050 and section 134 of this 1973 amendatory act levied on behalf of each local taxing district each year, and he shall, on December 31 of those years, bill each local taxing district the amount so computed. The treasurer shall collect said bill by deducting said amount from the next year's tax receipts and place the deducted sums in a special fund to be used solely for the expenses and costs of the administration of the revaluation program: PROVIDED, That the sum deducted from the basic [millage] *dollar rate* for common schools shall be excluded and not considered as revenue in the computation of the school equalization formula pursuant to RCW 28A.41.130. A copy of the assessor's portion of the preliminary county budget shall be sent to each local taxing district affected by the provisions of this section at the time such budget is prepared.

This section shall expire on December 31, 1974.

Sec. 35. Section 36.47.040, chapter 4, Laws of 1963 as last amended by section 2, chapter 47, Laws of 1970 ex. sess. and RCW 36.47.040 are each amended to read as follows:

Each county which designates the Washington state association of county officials as the agency through which the duties imposed by RCW 36.47.020 may be executed is authorized to reimburse the association from the county current expense fund for the cost of any such services rendered: PROVIDED, That no reimbursement shall be made to the association for any expenses incurred under RCW 36.47.050 for travel, meals, or lodging of such county officials, or their representatives at such meetings, but such expenses may be paid by such official's respective county as other expenses are paid for county business. Such reimbursement shall be paid only on vouchers submitted to the county auditor and approved by the board of county commissioners of each county in the manner provided for the disbursement of other current expense funds. Each such voucher shall set forth the nature of the services rendered by the association, supported by affidavit that the services were actually performed. The total of such reimbursements for any county in any calendar year shall not exceed a sum equal to the amount which would be raised by a levy of [one four-hundredth of a mill] *one-quarter of a cent per thousand dollars of assessed value* against [the actual value of] the taxable property in such county.

Sec. 36. Section 36.54.080, chapter 4, Laws of 1963 and RCW 36.54.080 are each amended to read as follows:

The establishment of a ferry district is hereby authorized. Written application for the formation of such a district signed by at least twenty-five percent of the registered voters, who reside and own real estate in the proposed district, shall be filed with the board of county commissioners. The board shall immediately transmit the application to the proper registrar of voters for the proposed district who shall check the names, residence, and registration of the signers with the records of his office and shall, as soon as possible, certify to said board the number of qualified signers. If the requisite number of signers is so certified, the board shall thereupon place the proposition, "Shall a ferry district be established in the following area to operate ferries between the following termini: (describing the proposed district and ferry routes)?" upon the ballot for vote of the people of the proposed district at the next election, general or special. If sixty percent of the voters on such proposition vote in favor of the proposition, the board shall, by resolution, declare the district established. If the requisite number of qualified persons have not signed the application, further signatures may be added and certified until the requisite number have signed and the above procedure shall be thereafter followed.

The area of such district shall be the area within any island or group of islands outside incorporated cities and towns, or such portion or portions thereof as specifically defined in the application.

When established, a ferry district shall be a municipality as defined by the statutes of

the state and entitled to all the powers conferred by law and exercised by municipal corporations in this state. A ferry district is hereby empowered to levy not more than [five mills] *one dollar and twenty-five cents per thousand dollars of assessed value* against the assessed valuation of the property lying within the district.

A ferry district shall have the right of eminent domain according to the laws of the state.

A ferry district is exempt and excepted from the provisions of the public service laws and is not subject to the control, rules and regulations of the Washington utilities and transportation commission; and it shall not be necessary for a ferry district to apply for or obtain a certificate of public convenience and necessity.

A ferry district may operate any vessel over its authorized routes upon any of the waters of the state that touch any of the area of the district.

Sec. 37. Section 36.62.090, chapter 4, Laws of 1963 and RCW 36.62.090 are each amended to read as follows:

If the hospital is established, the board of county commissioners, at the time of levying general taxes, shall levy a tax at the rate voted, not to exceed [two mills] *fifty cents per thousand dollars of assessed value* in any one year, for the maintenance of the hospital.

Sec. 38. Section 9, chapter 218, Laws of 1963 and RCW 36.68.480 are each amended to read as follows:

If the petition or resolution initiating the formation of the proposed service area proposes that the initial improvements of services are to be financed by a special levy, a special election for that purpose shall be conducted within the boundaries of the service area. All registered voters within the service area shall be eligible to vote on the proposition. The county auditor, for the purpose of the special election, may combine or divide precincts in order to provide the greatest convenience to voters of the service area.

The county auditor, in submitting the issue to the voters for their approval or rejection, shall submit and express two propositions on the ballot in substantially the following form:

(1) FORMATION OF LOCAL SERVICE AREA

Shall a county service area be established for the area described in a resolution of the board of commissioners of . . . . . county, adopted on the . . . . day of . . . . . 19. . . . , to provide financing for neighborhood park facilities, improvements and services?

Yes . . . . . No . . . . .

(2) SPECIAL LEVY (SPECIAL BOND ISSUE)

Shall the county commissioners, for the purposes of “. . . . . local service area No. . . . .” or “(name of district) local service area of . . . . . county”, levy a general tax of . . . . . [mills] *dollars per thousand dollars of assessed value* for one year upon taxable property within said service area in excess of the [forty mill] *constitutional and/or statutory* tax limits for authorized purposes of the service area?

OR shall the county commissioners for the purposes of . . . . . local park service area No. . . . . issue . . . . . dollars of general obligation bonds for a period of not to exceed twenty years and levy a tax of approximately . . . . . [mill] *dollars per thousand dollars of assessed value* upon all taxable property in said service area to pay the interest on and to retire said bonds; said levy to be excess of the [forty mill] *constitutional and/or statutory* tax limits?

Yes . . . . . No . . . . .

Sec. 39. Section 13, chapter 218, Laws of 1963 as amended by section 19, chapter 42, Laws of 1970 ex. sess. and RCW 36.68.520 are each amended to read as follows:

A 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 district in the manner prescribed for cities for the purpose of exceeding the limitations established by section 2, Article 7 [as amended by Amendment 17] 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.

A service area may issue general obligations 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 [millage] *dollar rate* in accordance with the provisions of 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.

Sec. 40. Section 36.69.140, chapter 4, Laws of 1963 as last amended by section 20, chapter 42, Laws of 1970 ex. sess. and RCW 36.69.140 are each amended to read as follows:

A park and recreation district 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 district, in the manner prescribed for cities for the purpose of exceeding the limitations established by Article VII, section 2, [as amended by Amendment 17,] of the Constitution and by RCW 84.52.052. Such special, voted 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, and may provide for the retirement thereof by levies in excess of [millage] *dollar rate* limitations in accordance with the provisions of RCW 84.52.056.

Sec. 41. Section 36.82.040, chapter 4, Laws of 1963 as amended by section 2, chapter 25, Laws of 1971 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 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 [ten mills on the dollar] *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.

Sec. 42. Section 11, chapter 189, Laws of 1967 and RCW 36.93.110 are each amended to read as follows:

In case of annexation to a city or a town, where the area proposed for annexation is less than ten acres and less than [two] *eight* hundred thousand dollars in assessed valuation, the chairman of the review board may by written statement declare that review by the board is not necessary for the protection of the interest of the various parties, in which case the board shall not review such annexation.

Sec. 43. Section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060 are each amended to read as follows:

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy, to levy and place in the fund a tax of [one-half of one mill on] *twenty-two and one-half cents per thousand dollars of assessed value against* all the taxable property of such municipality: PROVIDED, That if a report by a qualified actuary on the condition of the fund establishes that the whole or any part of said [millage] *dollar rate* is not necessary to maintain the actuarial soundness of the fund, the levy of said [one-half of one mill] *twenty-two and one-half cents per thousand dollars of assessed value* may be omitted, or the whole or any part of said [millage] *dollar rate* may be levied and used for any other municipal purpose.

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy and in addition to the city levy limit set forth in RCW 84.52.050, as now or hereafter amended, to levy and place in the fund an additional tax of [one-half of one mill on] *twenty-two and one-half cents per thousand dollars of assessed value against* all taxable property of such municipality: PROVIDED, That if a report by a qualified actuary

establishes that all or any part of the additional [one-half of one mill] *twenty-two and one-half cents per thousand dollars of assessed value* levy is unnecessary to meet the estimated demands on the fund under this chapter for the ensuing budget year, the levy of said additional [one-half of one mill] *twenty-two and one-half cents per thousand dollars of assessed value* may be omitted, or the whole or any part of such [millage] *dollar rate* may be levied and used for any other municipal purpose.

Sec. 44. Section 4, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.040 are each amended to read as follows:

The Washington law enforcement officers' and fire fighters' retirement system is hereby created for firefighters and law enforcement officers.

(1) All fire fighters and law enforcement officers employed as such on or after March 1, 1970, on a full time fully compensated basis in this state shall be members of the retirement system established by this chapter with respect to all periods of service as such, to the exclusion of any pension system existing under any prior act except as provided in subsection (2) of this section.

(2) Any employee serving as a law enforcement officer or fire fighter on March 1, 1970, who is then making retirement contributions under any prior act shall have his membership transferred to the system established by this chapter as of such date. Upon retirement for service or for disability, or death, of any such employee, his retirement benefits earned under this chapter shall be computed and paid. In addition, his benefits under the prior retirement act to which he was making contributions at the time of this transfer shall be computed as if he had not transferred. For the purpose of such computations, the employee's creditability of service and eligibility for service or disability retirement and survivor and all other benefits shall continue to be as provided in such prior retirement act, as if transfer of membership had not occurred. The excess, if any, of the benefits so computed, giving full value to survivor benefits, over the benefits payable under this chapter shall be paid. If the employee's prior retirement system was the Washington public employees' retirement system, payment of such excess shall be made by that system; if the employee's prior retirement system was the state-wide city employees' retirement system, payment of such excess shall be made by the employer which was the member's employer when his transfer of membership occurred: PROVIDED, That any death in line of duty lump sum benefit payment shall continue to be the obligation of that system as provided in RCW 41.44.210; in the case of all other prior retirement systems, payment of such excess shall be made by the employer which was the member's employer when his transfer of membership occurred.

(3) All funds held by any firemen's or policemen's relief and pension fund shall remain in that fund for the purpose of paying the obligations of the fund. The municipality shall continue to levy the [millage] *dollar rate* as provided in RCW 41.16.060, and this [millage] *dollar rate* shall be used for the purpose of paying the benefits provided in chapters 41.16 and 41.18 RCW. The obligations of chapter 41.20 RCW shall continue to be paid from whatever financial sources the city has been using for this purpose.

(4) Any member transferring from the Washington public employees' retirement system or the state-wide city employees' retirement system shall have transferred from the appropriate fund of the prior system of membership, a sum sufficient to pay into the Washington law enforcement officers' and fire fighters' retirement system fund the amount of the employees' and employers' contributions plus credited interest in the prior system for all service, as defined in this chapter, from the date of the employee's entrance therein until March 1, 1970. Except as provided for in subsection (2), such transfer of funds shall discharge said state retirement systems from any further obligation to pay benefits to such transferring members with respect to such service.

(5) All unfunded liabilities created by this or any other section of this chapter shall be computed by the actuary in his biennial evaluation. Such computation shall provide for amortization of the unfunded liabilities over a period of not more than forty years from March 1, 1970. The amount thus computed as necessary shall be reported to the governor by the board of the retirement system for inclusion in the budget. The legislature shall make the necessary appropriation to fund the unfunded liability from the state general fund beginning with the 1971-1973 biennium.



Sec. 45. Section 2, chapter 13, Laws of 1911 and RCW 45.72.050 are each amended to read as follows:

There shall be levied annually at the same time the levy for general county taxes is made, and by the officers levying the said county tax, a tax of not more than [five mills on the dollar] *one dollar and twenty-five cents per thousand dollars of assessed value* on all taxable property within the territorial limits of every such road district as the same existed at the time of the adoption of such township organization for the payment of and until the full amount of all indebtedness, together with all accrued and accruing interest thereon, existing against any such road district, shall have been paid in full.

Sec. 46. Section 3, chapter 243, Laws of 1969 ex. sess. and RCW 45.82.020 are each amended to read as follows:

Any township which at the time that this 1969 amendatory act takes effect has outstanding obligations in excess of anticipated receipts from sources other than general tax levies for the next ensuing year may certify the same to the board of county commissioners and the board shall levy taxes on the property within the township at the rates which the township would have been permitted to levy except for this 1969 amendatory act until such obligations have been extinguished, and until such time such [millage] *dollar rate* levy will take precedence over any additional [millage] *dollar* rates of fire protection districts under this 1969 amendatory act.

Sec. 47. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 103, Laws of 1972 ex. sess. and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the state highway commission and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of motor vehicles for the year next preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955 and on October 1st of each odd-numbered year thereafter furnish the state highway commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of

miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the highway commission and the legislative transportation committee shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00
Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00
Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00

Whitman .....	1,454.00
Yakima .....	1,584.00

PROVIDED, HOWEVER, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a [ten mill] *two dollar and twenty-five cents per thousand dollars of assessed value* tax levy on the valuation, as equalized by the state department of revenue for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the highway commission by the state treasurer for that purpose. The department of revenue and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The state highway commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required: PROVIDED, That the total allocation factor composed of the sum of the four factors defined in subsections (a), (b), (c) and (d) shall be held to a level not more than five percent above or five percent below the total allocation factor in use during the previous two year period.

(h) The highway commission and the legislative transportation committee shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The highway commission and the legislative transportation committee shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

(1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated.

(2) Average costs per trunk mile.

(3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted.

(4) Reassessment of bridge costs based on current information and relogging of bridges.

(5) The items in the list of resources used in determining the "need factor".

(6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs.

(7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Sec. 48. Section 20, chapter 34, Laws of 1939 as last amended by section 1, chapter 101, Laws of 1963 and RCW 52.08.030 are each amended to read as follows:

Any fire protection district organized under this act shall have authority:

(1) To lease, own, maintain, operate and provide fire engines and all other necessary or proper apparatus, facilities, machinery and equipment for the prevention and extinguishment of fires, and protection of life and property;

(2) To lease, own, maintain and operate real property, improvements and fixtures thereon suitable and convenient for housing, repairing and caring for fire fighting equipment;

(3) To enter into contract with any incorporated city or town whereby such city or town shall furnish fire prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of this act upon such terms as the board of directors of the district shall determine. To contract with another county fire protection district, or with any town, city or municipal corporation or governmental agency or private person or persons to consolidate or cooperate for mutual fire fighting protection and prevention purposes. Any city, town, municipal corporation or governmental agency may contract with a county fire protection district established and maintained under the provisions of this act for the purpose of affording such district fire fighting and protection equipment and service or fire prevention facilities, and in so contracting the district, city, town, municipal corporation or other governmental agency shall be deemed for all purposes to act within its governmental capacity. Any county fire protection district established and maintained under the provisions of this act, or any city, town, municipal corporation or other governmental agency is hereby authorized to contract with any person, firm or corporation for the purpose of affording fire fighting, protection or fire prevention facilities to such person, firm or corporation and such contractual relation shall be deemed for all purposes to be within the governmental power of such rural fire protection district, city, town, municipal corporation or other governmental agency;

(4) Fire protection districts situated in different counties may contract to operate jointly in carrying out the objects of their creation. Contracts for joint operation may provide for joint ownership of property and equipment, and may authorize a joint board of fire commissioners of the contracting districts to manage the affairs of the joint operations; to employ and discharge the necessary agents and employees and fix their respective wages and salaries; to provide and designate a suitable place in any county in which any of the contracting districts is situated, as a regular meeting place for the joint board; to incur the necessary expenses and direct the payment therefor from the funds of the contracting districts in such proportion as the joint boards shall determine; and to do all things as may in the judgment of the joint board be required to carry out the joint operations of the contracting districts.

The joint board shall consist of the members of the boards of the contracting districts and a majority of the membership of each district board shall constitute a quorum for the transaction of the business of the joint board. The members of the boards of fire commissioners of the contracting districts shall organize as a joint board annually in January after the second Monday thereof, elect a chairman and appoint a secretary for the ensuing year. Any member of the board of any contracting district may act as secretary of the joint board or the joint board may appoint such other person as the joint board may determine. The joint board shall prepare the annual budget for the joint operation of the contracting districts and shall determine the share of revenues for the joint operation to be raised by each district and the share of the expense of joint operation to be paid by each district in the ensuing year, and the secretary of the joint board shall certify and deliver within the time required by law, to the county auditor of each county involved, the part of the budget to be raised by the district in that county and the tax officials of that county shall levy and collect the tax, and the county treasurer shall pay vouchers drawn by the joint board on the funds of the district in that county upon warrants issued by the county auditor of that county.

Contracts for joint operation of fire districts, as herein authorized shall run from year to year and as of January 1st may be terminated by written notice of the board of fire commissioners of any contracting district to the other contracting district or districts on or before July 1st and the contract for joint operations shall terminate on January 1st following: PROVIDED, That all obligations of the joint operations must be paid or

definitely arranged for before contract termination and no notice of termination shall relieve any contracting district of its unpaid obligation incurred under the contract for joint operation;

(5) To encourage uniformity and coordination of fire protection district operation programs, the fire commissioners of two or more fire protection districts, may form an association thereof, for the purpose of securing data and information of value in fighting and in preventing fires; hold and attend meetings thereof; and promote more economical and efficient operation of the associated fire protection districts. The directors of fire protection districts so associated shall adopt articles of association, select a chairman and secretary, and such other officers as they may determine, and may employ and discharge such agents and employees as the officers deem convenient to carry out the purposes of the association. The expenses of the association may be paid from fire protection district expense funds upon vouchers of the respective associated districts: PROVIDED, That the aggregate contributions made to the association by any district in any calendar year shall not exceed [one-tenth of one mill of the tax valuation of the district] *two and one-half cents per thousand dollars of assessed valuation*;

(6) Two or more fire protection districts may contract with each other and such a district may contract with a city or county or the state supervisor of forestry or any association approved by him for the joint leasing, ownership, maintenance and operation of all necessary and proper apparatus, facilities, machinery, and equipment for the elimination of fire hazards and for the protection of life and property within the contracting districts, and of real property, improvements and fixtures thereon suitable and convenient for the housing, repairing, and caring for such apparatus, facilities, machinery, and equipment, and may contribute their agreed proportion of the cost and expense thereof:

Such contracts shall be executed by the commissioners of the contracting districts and, when the contract is between such districts, the terms and conditions thereof shall be carried out by the boards of commissioners acting jointly;

(7) To do all things and perform all acts not otherwise prohibited by law.

(8) May enter into contract to provide group life insurance for the benefit of the personnel of the fire districts, but not to exceed ten thousand dollars coverage per covered employee, and not more than fifty percent of the cost of such insurance shall be borne by the employer fire district.

Sec. 49. Section 3, chapter 70, Laws of 1941 as last amended by section 1, chapter 18, Laws of 1965 ex. sess. and RCW 52.08.060 are each amended to read as follows:

Any territory contiguous to a fire protection district and not within the boundaries of a city or town or other fire protection district may be annexed to such fire protection district, for the purpose of obtaining fire fighting protection or prevention facilities, by petition of fifteen percent of the qualified registered electors residing within the territory proposed to be annexed. Such petition shall be filed with the fire commissioners of the fire protection district and if the said fire commissioners shall concur in the said petition they shall then file such petition with the county auditor who shall within thirty days from the date of filing such petition examine the signatures thereof and certify to the sufficiency or insufficiency thereof. After the county auditor shall have certified to the sufficiency of the petition, the proceedings thereafter by the board of county commissioners and the rights and powers and duties of the board of county commissioners, petitioners and objectors and the election and canvass thereof shall be the same as in the original proceedings to form a fire protection district: PROVIDED, That the board of county commissioners shall have authority and it shall be its duty to determine on an equitable basis, the amount of obligation which the territory to be annexed to the district shall assume, if any, to place the taxpayers of the existing district on a fair and equitable relationship with the taxpayers of the territory to be annexed by reason of the benefits of coming into a going district previously supported by the taxpayers of the existing district, and such obligation may be paid to the district in yearly installments to be fixed by the county board if within the [four mill] *one dollar per thousand dollars of assessed value* annual tax limit and included in the annual tax levies against the property in such annexed territory until fully paid. The amount of the obligation and the plan of payment thereof fixed by the county board shall be set out in general terms in the notice of election for annexation: PROVIDED, HOWEVER, That the

special election shall be held only within the boundaries of the territory proposed to be annexed to said fire protection district. Upon the entry of the order of the board of county commissioners incorporating such contiguous territory with such existing fire protection districts, said territory shall become subject to the indebtedness, bonded or otherwise, of said existing district in like manner as the territory of said district. Should such petition be signed by sixty percent of the qualified registered electors residing within the territory proposed to be annexed, and should the fire commissioners concur therein, an election in such territory and a hearing on such petition shall be dispensed with and the board of county commissioners shall enter its order incorporating such territory within the said existing fire protection district.

Sec. 50. Section 3, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 30, chapter 42, Laws of 1970 ex. sess. and RCW 52.16.080 are each amended to read as follows:

Fire protection districts are hereby authorized to incur general indebtedness for capital purposes which shall include replacements of equipment which may be damaged or lost and for the purpose of refunding outstanding coupon warrants issued for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness, equal to three-fourths 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, and to issue general obligation bonds evidencing such indebtedness on the terms and provisions hereinafter set forth, the principal and interest thereof to be payable from annual tax levies to be made in excess of the [forty mill] *constitutional and/or statutory* tax limitations.

Sec. 51. Section 7, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.120 are each amended to read as follows:

An annual levy in excess of the [forty mill] *constitutional and/or statutory* tax limitations shall be made upon all the taxable property within such district, except those lands within the district which are now or will hereafter be required to pay forest protection assessment, by the officers or governing body thereof now or hereafter charged by law with the duty of levying taxes for such district sufficient to meet the annual and semiannual payments of principal and interest due on said bonds.

Sec. 52. Section 8, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 1, chapter 105, Laws of 1971 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 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 [two mills] *fifty cents per thousand dollars of assessed value*: PROVIDED, That in no case may the total general levy for all purposes, except retirement of general obligation bonds, exceed [four mills] *one dollar per thousand dollars of assessed value*. Levies in excess of [four mills] *one dollar per thousand dollars of assessed value* or in excess of aggregate [millage] *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. 53. Section 9, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.140 are each amended to read as follows:

Notwithstanding the limitation of [millage] *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 [two mills] *fifty cents per thousand dollars of assessed value*

when such levy will not take [millage] *dollar rates* which other taxing districts may lawfully claim and which will not cause the combined levies to exceed the [forty mill] *constitutional and/or statutory* limitations, and such additional levy, or any portion thereof, may also be made when [millage] *dollar rates* of other taxing units is released therefor by agreement with the other taxing units from their authorized levies.

Sec. 54. Section 9, chapter 53, Laws of 1961 as amended by section 2, chapter 243, Laws of 1969 ex. sess. and RCW 52.16.160 are each amended to read as follows:

Notwithstanding the limitation of [millage] *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 [two mills] *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 [forty mill] *constitutional and/or statutory* limitations.

Sec. 55. Section 4, chapter 31, Laws of 1961 as amended by section 3, chapter 47, Laws of 1970 ex. sess. and RCW 53.06.040 are each amended to read as follows:

Each port district which designates the Washington public ports association as the agency through which the duties imposed by RCW 53.06.020 may be executed is authorized to pay dues and/or assessments to said association from port district funds in any calendar year in an amount not exceeding a sum equal to the amount which would be raised by a levy of [one-hundredth of a mill] *one cent per thousand dollars of assessed value* against [the actual value of] the taxable property within the port district.

Sec. 56. Section 11, chapter 65, Laws of 1955 and RCW 53.36.020 are each amended to read as follows:

A district may raise revenue by levy of an annual tax not to exceed [two mills on each dollar of] *forty-five cents per thousand dollars of assessed value against* the assessed valuation of the taxable property in such port district for general port purposes, including the establishment of a capital improvement fund for future capital improvements, except that any levy for the payment of the principal and interest of the general bonded indebtedness of the port district shall be in excess of any levy made by the port district under the [two-mill] *forty-five cents per thousand dollars of assessed value* limitation. The levy shall be made and taxes collected in the manner provided for the levy and collection of taxes in school districts of the first class.

Sec. 57. Section 1, chapter 29, Laws of 1925 as amended by section 1, chapter 22, Laws of 1965 ex. sess. and RCW 53.36.070 are each amended to read as follows:

Any port district organized under the laws of this state shall, in addition to the powers otherwise provided by law, have the power to raise revenue by the levy and collection of an annual tax on all taxable property within such port district of not to exceed [two mills on each dollar of] *forty-five cents per thousand dollars of assessed value against* the assessed valuation of the taxable property in such port district, for dredging, canal construction, or land leveling or filling purposes, the proceeds of any such levy to be used exclusively for such dredging, canal construction, or land leveling and filling purposes: PROVIDED, That no such levy for dredging, canal construction, or land leveling or filling purposes under the provisions of RCW 53.36.070 and 53.36.080 shall be made unless and until the question of authorizing the making of such additional levy shall have been submitted to a vote of the electors of the district in the manner provided by law for the submission of the question of making additional levies in school districts of the first class at an election held under the provisions of RCW 29.13.030 and shall have been authorized by a majority of the electors voting thereon.

Sec. 58. Section 1, chapter 265, Laws of 1957 and RCW 53.36.100 are each amended to read as follows:

A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may thereafter raise revenue, for six successive years only, in addition to all other revenues now authorized by law, by an annual levy not to exceed [two mills on each dollar of] *forty-five cents per thousand dollars of assessed value against the assessed valuation of the taxable property in such port district.* Said levy shall be used exclusively for the exercise of the powers granted to port districts under chapter 53.25 except as provided in RCW 53.36.110. The levy of such taxes is herein authorized notwithstanding the provisions of RCW 84.52.050 and *section 134 of this 1973 amendatory act.* The revenues derived from levies made under RCW 53.36.100 and 53.36.110 not expended in the year in which the levies are made may be paid into a fund for future use in carrying out the powers granted under chapter 53.25, which fund may be accumulated and carried over from year to year, with the right to continue to levy the taxes provided for in RCW 53.36.100 and 53.36.110 for the purposes herein authorized.

Sec. 59. Section 4, chapter 162, Laws of 1971 ex. sess. and RCW 53.47.040 are each amended to read as follows:

The superior court, upon the filing of such petition, shall set such petition for hearing not less than one hundred twenty days and not more than one hundred eighty days after the date of filing said petition. Further, the court shall order the clerk of said court to give notice of the time and place fixed for the hearing by publication of notice in a newspaper of general circulation within such district, such publication to be once each week for three consecutive weeks, the date of first publication to be not less than thirty nor more than seventy days prior to the date fixed for the hearing upon such petition. Said notice shall further provide that all creditors of said district, including holders of revenue or general obligation bonds issued by said district, if any, shall present their claims to the clerk of said court within ninety days from the date of first publication of said notice, and that upon failure to do so all such claims will be forever barred. The clerk shall also mail a copy by ordinary mail of such notice to all creditors of said district, including holders of revenue or general obligation bonds issued by said district, if any, such mailing to be mailed not later than thirty days after the hearing date has been set. No other or further notices shall be required at any stage of the proceedings for dissolution of an inactive port district pursuant to this chapter.

The clerk, ten days prior to the date set for the hearing, shall deliver to the court the following:

(1) A list of the liabilities of the port district in detail with the names and addresses of creditors as then known; and

(2) A list of the assets of the port district in detail as then known.

The court upon hearing the petition shall fix and determine all such claims subject to proof being properly filed as provided in this section; shall fix and determine the financial condition of the district as to its assets and liabilities, and if it finds the port district to be inactive in respect of any standard of inactivity set forth by this chapter, shall order the port district to be dissolved upon the following terms and conditions:

(1) If there be no outstanding debts, or if the debts be less than the existing assets, the court shall appoint the auditor of the county in which the port district is located to be trustee of the port's assets and shall empower such person to wind up and liquidate the affairs of such district in such manner as the court shall provide and to file his accounting with the court within ninety days from the date of his appointment. Upon the filing of such account, the court shall fix a date for hearing upon the same and upon approval thereof, if such accounting be the final accounting, shall enter its order approving the same and declaring the port district dissolved.

At the request of the trustee the county sheriff may sell, at public auction, all real and personal property of the port district. The county sheriff shall cause a notice of such sale fixing the time and place thereof which shall be at a suitable place, which will be noted in the advertisement for sale. Such notice shall contain a description of the property to be sold and shall be signed by the sheriff or his deputy. Such notice shall be published at least once in an official newspaper in said county at least ten days prior to the date fixed for said sale. The sheriff or his deputy shall conduct said sale and sell the property described in the notice at public auction to the highest and best bidder for cash, and upon payment of the amount



of such bid shall deliver the said property to such bidder. The moneys arising from such sale shall be turned over to the county auditor acting as trustee: PROVIDED, HOWEVER, That the sheriff shall first deduct the costs and expenses of the sale from the moneys and shall apply such moneys to pay said costs and expenses.

The court order shall provide that the assets remaining in the hands of the trustee shall be transferred to any school district, districts, or portions of districts, lying within the dissolved port district boundaries. The transfer of assets shall be prorated to the districts based on the assessed valuation of said districts.

(2) If the debts exceed the assets of the port district, then the court shall appoint the auditor of the county in which a port district is located to be trustee of the port's assets for the purpose of conserving the same and of paying liability of the port district as funds become available therefor. The trustee shall be empowered to generally manage, wind up, and liquidate the affairs of such district in such manner as the court shall provide and to file his accounting with the court within ninety days from the date of his appointment and as often thereafter as the court shall provide. The board of county commissioners, acting as pro tempore port district commissioners under the authority of RCW 53.36.020 shall levy an annual tax not exceeding [one mill] *forty-five cents per thousand dollars of assessed value* or such lesser amount as may previously have been voted by the taxpayers within said district, together with an amount deemed necessary for payment of the costs and expenses attendant upon the dissolution of said district, upon all the taxable property within said district, the amount of such levy to be determined from time to time by the court. When, as shown by the final accounting of the trustee, all of the indebtedness of the district shall have been satisfied, the cost and expense of the proceeding paid or provided for, and the affairs of the district wound up, the court shall declare the district dissolved: PROVIDED, That if the indebtedness be composed in whole or in part of bonded debt for which a regular program of retirement has been provided, then the board of county commissioners shall be directed by the court to continue to make such annual levies as are required for the purpose of debt service upon said bonded debt.

Sec. 60. Section 9, chapter 390, Laws of 1955 and RCW 54.16.080 are each amended to read as follows:

A district may raise revenue by the levy of an annual tax on all taxable property within the district, not exceeding [two mills] *forty-five cents per thousand dollars of assessed value* in any one year, exclusive of interest and redemption for general obligation bonds. The commission shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file it in its records, on or before the first Monday in September. Notice of the filing of the proposed budget and the date and place of hearing thereon shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in the county. On the first Monday in October, the commission shall hold a public hearing on the proposed budget at which any taxpayer may appear and be heard against the whole or any part thereof. Upon the conclusion of the 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 officer of the county in which the district is located in the same manner as provided for the certification and collection of port district taxes. The commission may, prior to the receipt of taxes raised by levy, borrow money or issue warrants of the district in anticipation of the revenue to be derived from the levy or taxes for district purposes, and the warrants shall be redeemed from the first money available from such taxes. The warrants shall not exceed the anticipated revenue of one year, and shall bear interest at a rate of not to exceed six percent per annum.

Sec. 61. Section 4, chapter 210, Laws of 1941 as last amended by section 1, chapter 250, Laws of 1953 and RCW 56.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition, if the commissioners find the proposed sewer system will be conducive to the public health, welfare, and convenience and be of special benefit to the land within the boundaries of the said proposed or reorganized district, they shall by resolution call a special election to be held not less than thirty days and not more than sixty days from the date thereof, and shall cause to be published a notice of such election at least once a week for four successive weeks in a

newspaper of general circulation in the county, setting forth the hours during which the polls will be open, the boundaries of the proposed or reorganized district as finally adopted, and the object of the election, and the notice shall also be posted for ten days in ten public places in the proposed or reorganized district. The proposition shall be expressed on the ballots in the following terms:

- Sewer District ..... YES
- Sewer District ..... NO

or in the reorganization of a district, the proposition shall be expressed on the ballot in the following terms:

- Sewer District Reorganization ..... YES
- Sewer District Reorganization ..... NO

giving in each instance the name of the district as decided by the board.

At the same election the county commissioners shall submit a proposition to the voters, for their approval or rejection, authorizing the sewer district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the [forty mill] tax limitations provided by law, of not to exceed [five mills] *one dollar and twenty-five cents per thousand dollars of assessed value*, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

One year [5 mill] *one dollar and twenty-five cents per thousand dollars of assessed value tax*. . . . YES

One year [5 mill] *one dollar and twenty-five cents per thousand dollars of assessed value tax*. . . . NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition [and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area encompassed by the proposed district at the last preceding general state election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.*

Sec. 62. Section 1, chapter 267, Laws of 1961 as amended by section 4, chapter 47, Laws of 1970 ex. sess. and RCW 56.08.110 are each amended to read as follows:

To improve the organization and operation of sewer districts, the commissioners of two or more such districts may form an association thereof, for the purpose of securing and disseminating information of value to the members of the association and for the purpose of promoting the more economical and efficient operation of the comprehensive plans of sewer systems in their respective districts. The commissioners of sewer districts so associated shall adopt articles of association, select such officers as they may determine, and employ and discharge such agents and employees as shall be deemed convenient to carry out the purposes of the association. Sewer district commissioners and their employees are authorized to attend meetings of the association. The expense of the association may be paid from the maintenance or general funds of the associated districts in such manner as shall be provided in the articles of association: PROVIDED, That the aggregate contributions made to the association by the district in any calendar year shall not exceed the amount which would be raised by a levy [on one-fortieth of a mill] *of two and one-half cents per thousand dollars of assessed value* against [the actual value of] the taxable property of the district. The financial records of such association shall be subject to audit by the Washington state division of municipal corporations of the state auditor.

Sec. 63. Section 14, chapter 210, Laws of 1941 as last amended by section 10, chapter 250, Laws of 1953 and RCW 56.16.010 are each amended to read as follows:

The sewer commissioners may submit at any general or special election, a proposition that said sewer district incur a general indebtedness payable from annual tax levies to be made in excess of the [forty mill] *constitutional and/or statutory* tax limitations for the construction of any part or all of the comprehensive plan for the district. If such 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, to be effective, shall be adopted and assented to by three-fifths of the qualified voters of the said sewer district voting on said proposition at said election [ at which such election the total number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in said sewer district at the last preceding general state election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.*

Sec. 64. Section 17, chapter 210, Laws of 1941 as last amended by section 6, chapter 103, Laws of 1959 and RCW 56.16.030 are each amended to read as follows:

In the same manner as herein provided for the adoption of the general comprehensive plan, and after the adoption of the general comprehensive plan, a plan providing for additions and betterments to the general comprehensive plan, or reorganized district may be adopted. Without limiting its generality "additions and betterments" shall include any necessary change in, amendment of, or addition to the comprehensive plan. The sewer district may incur a general indebtedness payable from annual tax levies to be made in excess of the [forty mill] *constitutional and/or statutory* tax limitations for the construction of the additions and betterments in the same way the general indebtedness may be incurred for the construction of the general comprehensive plan. Upon ratification by the voters of the entire district, of the proposition to incur such indebtedness, the additions and betterments may be carried out by the sewer commissioners to the extent specified in the proposition to incur such general indebtedness. The sewer district may issue revenue bonds to pay for the construction of the additions and betterments by resolution of the board of sewer commissioners without submitting a proposition therefor to the voters.

Sec. 65. Section 18, chapter 210, Laws of 1941 as last amended by section 80, chapter 56, Laws of 1970 ex. sess. and RCW 56.16.040 are each amended to read as follows:

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 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 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 [forty mill] *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.

Sec. 66. Section 16, chapter 250, Laws of 1953 as amended by section 12, chapter 103, Laws of 1959 and RCW 56.16.115 are each amended to read as follows:

The board of sewer commissioners may by resolution, without submitting the matter to the voters of the district, authorize 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 if all of the holders thereof consent thereto. The total cost to the district over the life of the refunding bonds shall not exceed the total cost, which the district would have incurred but for such refunding, over the remainder of the life of the bonds being refunded. The provisions of RCW 56.16.040 specifying the form and maturities of general obligation bonds and providing for annual tax levies in excess of the [forty mill] *constitutional and/or statutory* tax limitations shall apply to the refunding general obligation bonds issued under this title.

The board of sewer commissioners may by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding revenue bonds to refund outstanding general obligation bonds and/or revenue bonds, or any part thereof, at maturity thereof, or before maturity thereof, if they are subject to call for prior redemption, or if all of the holders thereof consent thereto. The total cost to the district over the life of said refunding revenue bonds shall not exceed the total cost, which the district would have incurred but for such refunding, over the remainder of the life of the bonds being refunded. Uncollected assessments originally payable into the revenue bond fund of a refunded revenue bond issue shall be paid into the revenue bond fund of the refunding issue. The provisions of RCW 56.16.060 specifying the form and maturities of revenue bonds shall apply to the refunding revenue bonds issued under this title.

Refunding general obligation bonds or refunding revenue bonds may be exchanged for the bonds being refunded or may be sold in such manner as the sewer commissioners shall deem for the best interest of the sewer district.

Sec. 67. Section 3, chapter 114, Laws of 1929 as last amended by section 1, chapter 251, Laws of 1953 and RCW 57.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition if the commissioners find the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land therein, they shall by resolution call a special election to be held not less than thirty days from the date of the resolution, and cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the county in which the proposed district is located, which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted ten days in ten public places in the proposed district. In submitting the proposition to the voters, it shall be expressed on the ballots in the following terms:

- Water District . . . . . YES
- Water District . . . . . NO

giving the name of the district as may be decided by the board.

At the same election the county commissioners shall submit a proposition to the voters; for their approval or rejection, authorizing the water district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the [forty mill] limitations provided by law, of not to exceed [five mills] *one dollar and twenty-five cents per thousand dollars of assessed value*, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

- One year [5 mill] *one dollar and twenty-five cents per thousand dollars of assessed value* tax. . . . .YES
- One year [5 mill] *one dollar and twenty-five cents per thousand dollars of assessed value* tax. . . . .NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition [and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area encompassed by the proposed district at the last preceding general state election held therein] *in the manner set forth in Article VII, section 2(a) of the Constitution of this*

state, as amended by Amendment 59 and as thereafter amended.

Sec. 68. Section 1, chapter 242, Laws of 1961 as amended by section 5, chapter 47, Laws of 1970 ex. sess. and RCW 57.08.110 are each amended to read as follows:

To improve the organization and operation of water districts, the commissioners of two or more such districts may form an association thereof, for the purpose of securing and disseminating information of value to the members of the association and for the purpose of promoting the more economical and efficient operation of the comprehensive plans of water supply in their respective districts. The commissioners of water districts so associated shall adopt articles of association, select such officers as they may determine, and employ and discharge such agents and employees as shall be deemed convenient to carry out the purposes of the association. Water district commissioners and employees are authorized to attend meetings of the association. The expense of the association may be paid from the maintenance or general funds of the associated districts in such manner as shall be provided in the articles of association: PROVIDED, That the aggregate contributions made to the association by the district in any calendar year shall not exceed the amount which would be raised by a levy of [one-fortieth of a mill] *two and one-half cents per thousand dollars of assessed value* against [the actual value of] the taxable property of the district. The financial records of such association shall be subject to audit by the Washington state division of municipal corporations of the state auditor.

Sec. 69. Section 7, chapter 18, Laws of 1959 as amended by section 7, chapter 108, Laws of 1959 and RCW 57.16.020 are each amended to read as follows:

The commissioners may submit to the voters of the district at any general or special election, a proposition that the district incur a general indebtedness payable from annual tax levies to be made in excess of the [forty mill] *constitutional and/or statutory* tax limitations for the construction of any part or all of the general comprehensive plan. The amount of the indebtedness and the terms thereof shall be included in the proposition submitted to the voters, and the proposition shall be adopted by three-fifths of the voters voting thereon [, at which such election the total number of persons voting shall constitute not less than forty percent of the total number of votes cast in said water district at the last preceding general state election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.* When the general comprehensive plan has been adopted the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.

Sec. 70. Section 9, chapter 18, Laws of 1959 as amended by section 9, chapter 108, Laws of 1959 and RCW 57.16.040 are each amended to read as follows:

In the manner as provided for the adoption of the original general comprehensive plan, a plan providing for additions and betterments to the original general plan may be adopted. Without limiting its generality "additions and betterments" shall include any necessary change in, amendment of or addition to the general comprehensive plan.

The district may incur a general indebtedness payable from annual tax levies to be made in excess of the [forty mill] *constitutional and/or statutory* tax limitations for the construction of the additions and betterments in the same way that general indebtedness may be incurred for the construction of the original general plan after submission to the voters of the entire district in the manner the original proposition to incur indebtedness was submitted. Upon ratification the additions and betterments may be carried out by the commissioners to the extent specified in the proposition to incur the general indebtedness.

The district may issue revenue bonds to pay for the construction of the additions and the betterments pursuant to resolution of the board of water commissioners without submitting a proposition therefor to the voters of the district.

Sec. 71. Section 11, chapter 114, Laws of 1929 as last amended by section 83, chapter 56, Laws of 1970 ex. sess. and RCW 57.20.010 are each amended to read as follows:

When general district indebtedness payable from annual tax levies to be made in excess of the [forty mill] *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.

Bonds shall not be issued to run for a longer period than 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 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 [forty mill] *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.

Sec. 72. Section 16, chapter 251, Laws of 1953 and RCW 57.20.015 are each amended to read as follows:

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 thereof consent thereto. 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. 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.

The provisions of RCW 57.20.010, specifying the form and maturities of general obligation bonds and providing for annual tax levies in excess of the [forty mill] *constitutional and/or statutory* tax limitations shall apply to the refunding general obligation bonds issued under this section.

Sec. 73. Section 18, chapter 114, Laws of 1929 as last amended by section 4, chapter 25, Laws of 1951 2nd ex. sess. and RCW 57.20.100 are each amended to read as follows:

A district may, in addition to the levies mentioned in RCW 57.16.020, 57.16.040 and 57.20.010, levy a general tax on all property located in the district each year not to exceed [two mills on] *fifty cents per thousand dollars of assessed value against* the assessed valuation of the property where such water district maintains a fire department as authorized by RCW 57.16.010 to 57.16.040, inclusive, but such levy shall not be made where any property within such water district lies within the boundaries of any fire protection district created under RCW 52.04.010 to 52.04.160, inclusive. The taxes so levied shall be certified for collection as other general taxes, and the proceeds, when collected, shall be placed in such water district funds as the commissioners may direct and paid out on warrants issued for water district purposes.

Sec. 74. Section 2, chapter 129, Laws of 1893 as last amended by section 34, chapter 271, Laws of 1969 ex. sess. and RCW 58.08.040 are each amended to read as follows:

Any person filing a plat subsequent to May 31st in any year and prior to the date of the collection of taxes, shall deposit with the county treasurer a sum equal to the product of the county assessor's latest valuation on the unimproved property in such subdivision multiplied by the current year's [millage] *dollar* rate increased by twenty-five percent on the property platted. The treasurer's receipt for said amount shall be taken by the auditor as evidence of the payment of the tax. The treasurer shall appropriate so much of said deposit as will pay the taxes on the said property when the tax rolls are placed in his hands for collection, and in case the sum deposited is in excess of the amount necessary for the payment of the said taxes, the treasurer shall return, to the party depositing, the amount of

said excess, taking his receipt therefor, which receipt shall be accepted for its face value on the treasurer's quarterly settlement with the county auditor.

Sec. 75. Section 82, chapter 250, Laws of 1907 and RCW 65.12.660 are each amended to read as follows:

Upon the original registration of land under this chapter, and also upon the entry of the certificate showing title as registered owners in heirs or devisees, there shall be paid to the registrar of titles, [one-tenth] *one-fortieth* of one percent of the assessed value of the real estate on the basis of the last assessment for general taxation, as an assurance fund.

Sec. 76. Section 95, chapter 250, Laws of 1907 as amended by section 2, chapter 121, Laws of 1973 and RCW 65.12.790 are each amended to read as follows:

The fees to be paid to the registrar of titles shall be as follows:

(1) At or before the time of filing of the certified copy of the application with the registrar, the applicant shall pay, to the registrar, on all land having an assessed value, exclusive of improvements, of one thousand dollars or less, [one dollar, and twenty-five] *thirty-one and one-quarter* cents on each one thousand dollars, or major fraction thereof, of the assessed value of said land, additional.

(2) For granting certificates of title, upon each applicant, and registering the same, two dollars.

(3) For registering each transfer, including the filing of all instruments connected therewith, and the issuance and registration of the instruments connected therewith, and the issuance and registration of the new certificate of title, ten dollars.

(4) When the land transferred is held upon any trust, condition, or limitation, an additional fee of three dollars.

(5) For entry of each memorial on the register, including the filing of all instruments and papers connected therewith, and endorsements upon duplicate certificates, three dollars.

(6) For issuing each additional owner's duplicate certificate, mortgagee's duplicate certificate, or lessee's duplicate certificate, three dollars.

(7) For filing copy of will, with letters testamentary, or filing copy of letters of administration, and entering memorial thereof, two dollars and fifty cents.

(8) For the cancellation of each memorial, or charge, one dollar.

(9) For each certificate showing the condition of the register, one dollar.

(10) For any certified copy of any instrument or writing on file in his office, the same fees now allowed by law to county clerks and county auditors for like service.

(11) For any other service required, or necessary to carry out this chapter, and not hereinbefore itemized, such fee or fees as the court shall determine and establish.

(12) For registration of each mortgage and issuance of duplicate of title a fee of five dollars; for each deed of trust and issuance of duplicate of title a fee of eight dollars.

Sec. 77. Section 23, chapter 6, Laws of 1947 and RCW 68.16.230 are each amended to read as follows:

The board of cemetery commissioners shall have no authority to contract indebtedness in any year in excess of the aggregate amount of the currently levied taxes, which annual tax levy for cemetery district purposes shall not exceed [one-half mill on the dollar] *eleven and one-quarter cents per thousand dollars* of assessed valuation.

Sec. 78. Section 1, chapter 191, Laws of 1939 as last amended by section 6, chapter 47, Laws of 1970 ex. sess. and RCW 70.12.010 are each amended to read as follows:

Each board of county commissioners shall annually budget and levy as a tax for public health work in its county a sum equal to the amount which would be raised by a levy of [one-tenth of a mill] *five cents per thousand dollars of assessed value* against [the actual value of] the taxable property in the county, but nothing herein contained shall prohibit a county from obtaining said public health funds from any other source of county revenue or from budgeting additional sums for public health work.

Sec. 79. Section 1, chapter 162, Laws of 1943 as last amended by section 21, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.010 are each amended to read as follows:

Tuberculosis is a communicable disease and tuberculosis control, case finding, prevention and follow up of known cases of tuberculosis represents the basic step in the conquest of this major health problem. In order to carry on such work effectively, the

legislative authority of each county enumerated in RCW 70.33.040 shall budget and shall levy annually a tax in a sum equal to the amount which would be raised by a levy of [one-sixteenth of a mill] *six and one-quarter cents per thousand dollars of assessed value* against the [actual value of the] taxable property in any county enumerated in RCW 70.33.040, to be used for the control of tuberculosis, including case finding, prevention and follow up of known cases of tuberculosis: PROVIDED, That upon certification of the secretary that any such county has an unexpended balance from such levy, over and above the amount required for adequate tuberculosis control, including case finding, prevention and follow up of known cases of tuberculosis within such county, the legislative authority may budget and reappropriate the same for such tuberculosis control for the ensuing year, or it may allocate from time to time such unexpended balance, or any portion thereof, to the county health department for use in furtherance of other communicable disease prevention or control, or as provided in RCW 70.32.090 as now or hereafter amended. The sum herein provided for, and any income that may accrue from miscellaneous receipts in connection with the tuberculosis control program of such county, shall be placed in the county treasury in a special fund to be known as the tuberculosis fund, and obligations incurred for the tuberculosis control program shall be paid from said fund by the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the legislative authority and the department a monthly report of receipts and disbursements in the tuberculosis fund, which report shall also show balances of cash on hand.

Sec. 80. Section 3, chapter 117, Laws of 1959 as last amended by section 24, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.090 are each amended to read as follows:

In any county enumerated in RCW 70.33.040 where the secretary has certified that the proceeds of the [one-sixteenth mill] *six and one-quarter cents per thousand dollars of assessed value* tax levy is more than adequate to provide for tuberculosis control, including case finding, prevention, and follow-up of known cases of tuberculosis in the county, the legislative authority, after a special public hearing conducted in accordance with the procedures established for hearings on budgetary matters as delineated in RCW 36.40.060 and 36.40.070 and upon making a finding that an adequate general public health program is being carried out in the county, may budget and reappropriate such surplus funds from the [one-sixteenth mill] *six and one-quarter cents per thousand dollars of assessed value* tax levy for the ensuing year to the county treasury for general purposes of the county, as authorized by law, or the legislative authority in its discretion may budget, reappropriate and transfer such surplus fund to any public hospital district within the county.

Sec. 81. Section 18, chapter 277, Laws of 1971 ex. sess. and RCW 70.33.040 are each amended to read as follows:

In order to maintain adequate tuberculosis hospital facilities for the residents of the state of Washington and to assure their proper care pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090, the legislative authority of Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Pierce, King, Snohomish, Skagit, Whatcom, San Juan and Island counties shall, levy annually a tax in the sum equal to the amount which would be raised by a levy of [one-sixteenth mill] *six and one-quarter cents per thousand dollars of assessed value* against [the actual value of] the taxable property in the county. Upon collection such sum shall be paid to the state to be used for the cost of maintaining and operating tuberculosis hospital facilities operated pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090. All other sources of revenue in tuberculosis hospital facilities operated pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090 shall be collected by such tuberculosis hospital facilities.

There is hereby appropriated to the department such revenue as is collected resulting from the [one-sixteenth mill] *six and one-quarter cents per thousand dollars of assessed value* levy provided for herein, and the collections made by the tuberculosis hospital facilities. Such appropriations to the department shall be used for the cost of maintaining and operating tuberculosis hospital facilities pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090: PROVIDED, That in the event that the revenues collected under this section exceed the cost of hospitalization, surplus revenues will be



returned to the counties in proportion to the property taxes collected from those counties.

Sec. 82. Section 11, chapter 277, Laws of 1971 ex. sess. as amended by section 1, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.070 are each amended to read as follows:

Tuberculosis is a communicable disease and tuberculosis control, including hospitalization, case finding, prevention and follow-up of known cases of tuberculosis represent the basic step in the conquest of this major health problem. In order to carry on work effectively in these fields there shall be levied for tuberculosis hospital district purposes in the district annually a tax in a sum equal to the amount which would be raised by a levy of [one-eighth of a mill] *twelve and one-half cents per thousand dollars of assessed value* against [the actual value of] the taxable property in the district, or the equivalent thereof, such levy to be made by the board of county commissioners in each county constituting the district, fifty percent of the receipts therefrom to be forwarded quarterly in January, April, July and October of each year by the treasurers of such county, other than the headquarters county where tuberculosis control activities will be carried out by the hospital, to the treasurer of the headquarters district county, who shall be treasurer for the district. The retained fifty percent of the funds are to be used by the chief health officers to carry out tuberculosis control on a local county level pursuant to rules and regulations adopted by the district commission. The sum herein provided for, and any income that may occur from miscellaneous receipts in connection with the aforesaid programs shall be placed in a special fund in the treasury of the headquarters county and obligations incurred for such programs shall be paid from such fund upon order of the district commissioners by the treasurer in the same manner as general county obligations are paid.

Sec. 83. Section 6, chapter 264, Laws of 1945 as last amended by section 2, chapter 218, Laws of 1971 ex. sess. and RCW 70.44.060 are each amended to read as follows:

All public hospital districts organized under the provisions of this chapter shall have power:

(1) To make a survey of existing hospital 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 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 hospital clinic or sanatorium operated as a charitable, nonprofit establishment or against a hospital clinic or sanatorium operated by a religious group or organization: AND PROVIDED, FURTHER, That no hospital district organized and existing in districts having more than twenty-five thousand population have any of the rights herein enumerated without the prior written consent of all existing hospital facilities within the boundaries of such hospital district.

(3) To lease existing hospital and equipment and/or other property used in connection therewith, and to pay such rental therefor as the commissioners shall deem proper; to provide hospital service for residents of said district in hospitals 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 hospital 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 facilities of said hospitals, 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 hospital.

(5) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the hospitals thereof, and to issue (a) revenue bonds 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 to pay the same as the commissioners of the district may determine, such revenue bonds, to be issued in the same manner and subject to the same provisions as provided for the issuance of revenue bonds by cities or towns under the Municipal Revenue Bond Act, chapter 35.41 RCW, as may hereafter be amended or (b) general obligation bonds therefor in the manner and form as provided in RCW 70.44.110 to 70.44.130, inclusive, as may hereafter be amended; and to assign or sell hospital accounts receivable for collection with or without recourse.

(6) To raise revenue by the levy of an annual tax on all taxable property within such public hospital district not to exceed [three mills] *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 [three mills] *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 [commonly known as the forty mill tax limitation]. 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 [three mills] *seventy-five cents per thousand dollars of assessed value* herein specifically authorized. The commissioner 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 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. 84. Section 15, chapter 238, Laws of 1967 as amended by section 7, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.091 are each amended to read as follows:

An activated authority shall have the power to levy additional taxes in excess of the

[forty-mill] *constitutional and/or statutory tax limitations* for any of the authorized purposes of such activated authority, not in excess of [one mill] *twenty-five cents per thousand dollars of assessed value* a year when authorized so to do by the electors of such authority by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, [and not more often than twice in such year, in the manner provided by law for holding general elections, at such time as may be fixed by the board, which special election may be called by the board, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes" and those opposing thereto to vote "No": PROVIDED, That the total number of persons voting at such special election must constitute not less than forty percent of the voters in said authority who voted in the last preceding general election] *in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.* Nothing herein shall be construed to prevent holding the foregoing special election at the same time as that fixed for a general election. The expense of all special elections held pursuant to this section shall be paid by the authority.

Sec. 85. Section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 1, chapter 84, Laws of 1971 ex. sess. and RCW 71.20.110 are each amended to read as follows:

In order to provide additional funds for the coordination of community mental retardation services and to provide community mental retardation or mental health services, the board of county commissioners of each county in the state shall budget and levy annually a tax in a sum equal to the amount which would be raised by a levy of [one-fortieth of a mill] *two and one-half cents per thousand dollars of assessed value* against [the actual value of] the taxable property in the county to be used for such purposes: PROVIDED, That all or part of the funds collected from the tax levied for the purposes of this section may be transferred to the state of Washington, department of social and health services, for the purpose of obtaining federal matching funds to provide and coordinate community mental retardation and mental health services. In the event a county elects to transfer such tax funds to the state for this purpose, the state shall grant these moneys and the additional funds received as matching funds to service-providing community agencies in the county which has made such transfer, pursuant to the plan approved by the county, as provided by chapters 71.16, 71.20, 71.24, and 71.28 RCW.

Sec. 86. Section 7, page 210, Laws of 1888 as last amended by section 9, chapter 47, Laws of 1970 ex. sess. and RCW 73.08.080 are each amended to read as follows:

The boards of county commissioners of the several counties in this state shall levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount which would be raised by not less than [one-eightieth of one mill] *one and one-quarter cents per thousand dollars of assessed value*, and not greater than [three-tenths of a mill] *thirty cents per thousand dollars of assessed value* against [the actual value of] the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating the veteran's relief fund for the relief of honorably discharged veterans who served in the armed forces of the United States in the Civil War, in the war of Mexico or in any of the Indian wars, or the Spanish-American war or the Philippine insurrection, in the First World War, or Second World War or Korean conflict, or Viet Nam conflict, and the indigent wives, husbands, widows, widowers and minor children of such indigent or deceased veterans, to be disbursed for such relief by such board of county commissioners: PROVIDED, That if the funds on deposit, less outstanding warrants, residing in the veteran's relief fund on the first Tuesday in September exceed the expected yield of [one-eightieth of one mill] *one and one-quarter cents per thousand dollars of assessed value* [on the actual value of] *against* the taxable property of the county, the county commissioners may levy a lesser amount: PROVIDED FURTHER, That the costs incurred in the administration of said veteran's relief fund shall be computed by the county treasurer not less than annually and such amount may then be transferred from the veteran's relief fund as herein provided for to the county current expense fund.

Sec. 87. Section 2, chapter 105, Laws of 1917 as last amended by section 14, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.360 are each amended to read as follows:

If any owner of forest land neglects or fails to provide adequate fire protection therefor as required by RCW 76.04.350, the department shall provide such protection therefor, notwithstanding the provisions of RCW 76.04.520, at a cost to the owner of not to exceed nine cents an acre per year on lands west of the summit of the Cascade mountains and seven cents an acre per year on lands east of the summit of the Cascade mountains: PROVIDED, That for the calendar years 1971 and 1972 the cost to the owner for such protection shall be eighteen cents an acre per year on lands west of the summit of the Cascade mountains and fourteen cents an acre per year on lands east of the summit of the Cascade mountains after which time said additional assessment shall revert to the 1970 level. During said calendar years the legislative budget committee shall study the costs of forest fire protection to determine the ratio of financial support to be borne by the state to that of the forest land owner.

The findings of the legislative budget committee shall be considered when establishing the forest patrol assessment for the ensuing biennium.

For the purpose of this act, the supervisor may divide the forest lands of the state, or any part thereof, into districts, for patrol and assessment purposes, may classify lands according to the character of timber prevailing, and the fire hazard existing, and place unprotected lands under the administration of the proper district. Such cost must be justified by a showing of budgets on demand of twenty-five owners of forest land in the county concerned at public hearing. Any amounts paid or contracted to be paid by the supervisor of natural resources for this purpose from any funds at his disposal shall be a lien upon the property patrolled and protected, and unless reimbursed by the owner within ten days after October 1st of the year in which they were incurred, on which date the supervisor of natural resources shall be prepared to make statement thereof upon request to any forest owner whose own protection has not been previously approved by him as adequate, shall be reported by the supervisor of natural resources to the assessor of the county in which the property is situated who shall extend the amounts upon the tax rolls covering the property, or the county assessor may upon authorization from the supervisor of natural resources levy the forest patrol assessment against the amounts of unimproved land as shown in each ownership on the county assessor's records and the assessor may then segregate on his records to provide that the improved land and improvements thereon carry the [millage] *dollar rate* levy designed to support the rural fire protection districts as provided for in chapter 52.04 RCW.

The amounts assessed shall be collected at the time, in the same manner, by the same procedure, and with the same penalties attached that the next general state and county taxes on the same property are collected, except that errors in assessments may be corrected at any time by the supervisor of natural resources certifying them to the treasurer of the county in which the land involved is situated. Upon the collection of such assessments the county treasurer shall transmit them to the supervisor of natural resources to be applied against expenses incurred in carrying out the provisions of this section.

The supervisor of natural resources shall include in the assessment a sum not to exceed one-half of one cent per acre, to cover the necessary and reasonable cost of office and clerical work incurred in the enforcement of these provisions. He may also expend any sums collected from owners of forest lands or received from any other source for necessary office and clerical expense in connection with the enforcement of RCW 76.04.370.

When land against which fire patrol assessments are outstanding is acquired for delinquent taxes and sold at public auction, the state shall have a prior lien on the proceeds of sale over and above the amount necessary to satisfy the county's delinquent tax judgment, and the county treasurer in case the proceeds of sale exceed the amount of the delinquent tax judgment shall forthwith remit to the supervisor of natural resources the amount of the outstanding patrol assessments.

The supervisor of natural resources shall furnish a good and sufficient surety company bond running to the state, in a sum as great as the probable amount of money annually coming into his hands under the provisions of this chapter, conditioned for the faithful performance of his duties and for a faithful accounting for all sums received and expended thereunder, which bond shall be approved by the attorney general.

Sec. 88. Section 13, chapter 288, Laws of 1971 ex. sess. and RCW 84.04.140 are each

amended to read as follows:

The term "regular property taxes" and the term "regular property tax levy" shall mean a property tax levy by or for a taxing district which levy is subject to the aggregate limitation set forth in *section 134 of this 1973 amendatory act and* RCW 84.52.050, as now or hereafter amended, or which is imposed by or for a port district or a public utility district.

Sec. 89. Section 84.28.090, chapter 15, Laws of 1961 as last amended by section 33, chapter 299, Laws of 1971 ex. sess. and RCW 84.28.090 are each amended to read as follows:

All lands classified as reforestation lands as provided in this chapter and lying west of the summit of the Cascade range of mountains in the state of Washington shall, after the date of such classification, be assessed for purposes of taxation at [eight] *sixteen* dollars per acre, which is hereby declared to be the assessed value thereof; and all lands so classified lying east of the summit of the Cascade range of mountains shall be assessed for purposes of taxation at [four] *eight* dollars per acre, which is hereby declared to be the assessed value thereof. The above values shall apply as the actual basis for taxation of such lands, without regard to any percentages of value which may apply for taxation of other classes of property; and the taxation of such lands on the basis herein provided shall be separate and distinct from and in addition to the cost of protecting such lands from fire as provided under the laws of Washington.

Sec. 90. Section 5, chapter 294, Laws of 1971 ex. sess. as amended by section 4, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.050 are each amended to read as follows:

(1) In preparing the assessment roll as of January 1, 1971 for taxes payable in 1972, the assessor of each timber county shall list all timber within such county on January 1, 1971 at the 1970 timber value. For each year commencing with 1972, the assessor of each timber county shall prepare a timber roll, which shall be separate and apart from the assessment roll, listing all timber within such county on January 1, 1972 at values determined as follows:

(a) For the five years commencing with 1972, the value shall be the 1970 timber value;

(b) For each succeeding five year period, the first of which commences on January 1, 1977, the value shall be such 1970 timber value increased or decreased in proportion to the percentage change, if any, which has occurred between the last year of the preceding five year period and 1973 in the average stumpage value per unit of measure of all timber harvested in such county. Such percentage change shall be determined by the department of revenue on the basis of information contained in the excise tax returns filed pursuant to RCW 82.04.291.

(2) As used in subsection (1) of this section, "1970 timber value" means the value for timber calculated in the same manner and using the same values and valuation factors actually used by such assessor in determining the value of timber for the January 1, 1970 assessment roll, except that if a revised schedule of such values and valuation factors was applied to some but not all timber in a county for the January 1, 1970 assessment roll, such revised schedule shall be used by the assessor for any timber revalued for the 1971 or 1972 assessment rolls, and except that if the value of timber in any county on January 1, 1970 was not separately determined and shown on such assessment roll, 1970 timber value shall mean the value reconstructed from available records and information in accordance with rules to be prescribed by the department of revenue.

(3) The assessor of each timber county shall add to the assessment roll showing values of property as of January 1 of the years listed below, an "assessed valuation" of the portion, indicated below opposite each such year, of the value of timber as shown on the timber roll for such year. Such assessed valuation shall be calculated by multiplying such portion of the timber roll by the assessment ratio applied generally by such assessor in computing the assessed valuation of other property in his county. The [millage] *dollar* rates, calculated pursuant to RCW 84.33.060 for each taxing district within which there was timber on January 1 of such year, shall be extended against such "assessed valuation" of timber within

such district as well as against the assessed value of all other property within such district as shown on such assessment roll.

Year	Portion of Timber Roll
1972	75%
1973	45%
1974 and thereafter	None

(4) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1 following the designation of the land upon which such timber stands pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, but only if the value of such timber was not separately determined and shown on the assessment roll as of either January 1, 1970 or January 1, 1972;

(5) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1st following the sale or transfer of the land upon which such timber stands from an ownership in which such land was exempt from ad valorem taxation to an ownership in which such land is no longer exempt.

(6) The value of timber shall be deleted from the timber roll upon the sale or transfer of the land upon which such timber stands to an ownership in which such land is exempt from ad valorem taxation.

Sec. 91. Section 6, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.060 are each amended to read as follows:

In each year commencing with 1972 and ending with 1980, solely for the purpose of determining, calculating and fixing, pursuant to chapter 84.52 RCW, the [millage] *dollar* rates for all regular and excess levies for the state and each timber county and taxing district lying wholly or partially in such county within which there was timber on January 1 of such year, the assessor of such timber county shall, for each such district, add to the amount of the "assessed valuation of the property" of all property other than timber the product of:

(a) The portion indicated below for each year of the value of timber therein as shown on the timber roll prepared in accordance with RCW 84.33.050 for such year; and

(b) The assessment ratio applied generally by such assessor in computing the assessed value of other property in his county:

Year	Portion of Timber Roll
1972 through 1977	100%
1978	75%
1979	50%
1980	25%
1981 and thereafter	None

Sec. 92. Section 8, chapter 294, Laws of 1971 ex. sess. as amended by section 2, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with 1980, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate [millage] *dollar* rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending property taxes upon the tax rolls for collection in the following year;

(c) A "timber factor" which is the product of such aggregate [millage] *dollar* rate, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year [(a) above]:

Year	Portion of Timber Roll
1972	25%
1973	55%
1974 through 1977	100%
1978	75%
1979	50%
1980	25%

On or before December 31 of each year commencing with 1972 and ending with 1980, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the tenth day of the second month of each calendar quarter, commencing February 10, 1973 and ending November 10, 1981, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any quarterly payment to a taxing district, when added to the payments made to such district the previous quarters of the same year, exceed the timber factor for such district determined in December of the preceding year. The balance in state timber tax fund A, if any, after the distribution to taxing districts on November 10 each year commencing with 1973 and ending with 1981, shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such November 10 distribution to taxing districts is not sufficient to permit a payment which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax fund B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section.

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate [millage] *dollar* rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending property taxes upon the tax rolls for collection the following year;

(c) A "harvest factor" which is the product of such five year average and such aggregate [millage] *dollar* rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(6) On the tenth day of the second month of each calendar quarter commencing February 10, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter.

Sec. 93. Section 14, chapter 294, Laws of 1971 ex. sess. as amended by section 6, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.140 are each amended to read as follows:

(1) When land has been designated as forest land pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, a notation of such designation shall be made each year upon the assessment and tax rolls, a copy of the notice of approval together with the legal description or assessor's tax lot numbers for such land shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded, and such land shall be graded and valued pursuant to RCW 84.33.110 and 84.33.120 until removal of such designation by the assessor upon occurrence of any of the following:

- (a) Receipt of notice from the owner to remove such designation;
- (b) Passage of sixty days following the sale or transfer of such land to a new owner without receipt of an application pursuant to RCW 84.33.130 from the new owner;
- (c) Sale or transfer to an ownership making such land exempt from ad valorem taxation;
- (d) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that such land is no longer primarily devoted to and used for growing and harvesting timber.

Removal of designation upon occurrence of any of subsections (a) through (c) above shall apply only to the land affected, and upon occurrence of subsection (d) shall apply only to the actual area of land no longer primarily devoted to and used for growing and harvesting timber, without regard to other land that may have been included in the same application and approval for designation.

(2) Within thirty days after such removal of designation of forest land, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The owner may appeal such removal to the county board of equalization.

(3) Unless the removal is reversed on appeal a copy of the notice of removal with notation of the action, if any, upon appeal, together with the legal description or assessor's tax lot numbers for the land removed from designation shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded, and commencing on January 1 of the year following the year in which the assessor mailed such notice, such land shall be assessed on the same basis as real property is assessed generally in that county. Except as provided in subsection (5) of this section, a compensating tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. On or before May 31 following such assessment date, the assessor shall compute the amount of such compensating tax and mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such compensating tax shall be equal to:

(a) The difference between the amount of tax last levied on such land as forest land and an amount equal to the new assessed valuation of such land multiplied by the [millage] *dollar* rate of the last levy extended against such land, multiplied by

(b) A number, in no event greater than ten, equal to the number of years for which such land was designated as forest land.

(4) Any compensating tax unpaid on its due date shall thereupon become delinquent and together with applicable interest thereon, shall as of said date become a lien on such land which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. From the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(5) The compensating tax specified in subsection (3) of this section shall not be imposed if the removal of designation pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;



(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

Sec. 94. Section 4, chapter 243, Laws of 1971 ex. sess. and RCW 84.34.230 are each amended to read as follows:

For the purpose of acquiring conservation futures as well as other rights and interests in real property pursuant to RCW 84.34.210 and 84.34.220, a county may levy an amount not to exceed [one-eighth of one mill on] *six and one-quarter cents per thousand dollars of assessed valuation against* the assessed valuation of all taxable property within the county, which levy shall be in addition to that authorized by RCW 84.52.050 *and section 134 of this 1973 amendatory act.*

Sec. 95. Section 1, chapter 117, Laws of 1967 ex. sess. and RCW 84.36.270 are each amended to read as follows:

Subject to the terms and conditions set forth in RCW 84.36.280, whenever the owner of any real property dedicates the perpetual right to use the air space over his property to any county, city or other political subdivision of this state for the construction, operation and maintenance of stadium facilities, or for any parking facilities to be used in connection therewith, pursuant to the provisions of chapter 67.28 RCW, such property shall be exempt from general property taxation to such extent and as to such [millage] *dollar rate* as shall be determined by the county, city or other political subdivision, and subject to being used by a public body for a public purpose and only so long as the owner allows the use by the public body of the dedicated air rights free of rents or other charges.

Sec. 96. Section 84.40.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.030 are each amended to read as follows:

All property shall be [assessed fifty] *valued at one hundred percent* of its true and fair value in money *and assessed on the same basis unless specifically provided otherwise by law.*

Taxable leasehold estates shall be valued at such price as they would bring at a fair, voluntary sale for cash. Notwithstanding any other provisions of this section or of any other statute, when the value of any taxable leasehold estate created prior to January 1, 1971 is being determined for assessment years prior to the assessment year 1973, there shall be deducted from what would otherwise be the value thereof the present worth of the rentals and other consideration which may be required of the lessee by the lessor for the unexpired term thereof: PROVIDED, That the foregoing provisions of this sentence shall not apply to any extension or renewal, made after December 31, 1970 of the term of any such estate, or to any such estate after the date, if any, provided for in the agreement for rental renegotiation.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) (a) Any sales of the property being appraised or similar property with respect to sales made within the past five years [less a percentage equal to the average, ordinary and usual direct costs of sale of that type of property, including but not limited to costs of title insurance, legal services, recording fees and taxes levied against such sales that are borne by the seller, and an amount equal to the customary fees payable to a licensed real estate broker for handling such a sale, such percentage to be determined by studies conducted by the department of revenue]. The appraisal shall take into consideration political restrictions such as zoning as well as physical and environmental influences. The appraisal shall also take into account, (i) in the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price has been increased by reason of the down payment, interest rate, or other financing terms; and (ii) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

(b) In addition to sales as defined in subsection (1) (a), consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property. In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating

as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection (1) (b) shall be the dominant factors in valuation. When provisions of this subsection (1) (b) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(c) In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

PROVIDED, That the provisions of this subsection (1) shall be applicable to all values for use in computing property taxes for the assessment year 1972 for taxes payable in 1973 and subsequent years.

Sec. 97. Section 84.40.040, chapter 15, Laws of 1961 as amended by section 36, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter [fifty] *one hundred* percent of the value of such land and of the total value of such improvements, together with the total of such [fifty] *one hundred* percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That [for the years 1968 and 1969 a second notice shall be mailed on or before the 15th day of March: PROVIDED FURTHER, That] the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter [fifty] *one hundred* percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

Sec. 98. Section 84.40.320, chapter 15, Laws of 1961 and RCW 84.40.320 are each amended to read as follows:

The assessor shall add up and note the amount of each column in his detail and assessment lists, which he shall have bound in book form in such manner, to be prescribed or approved by the state tax commission, as will provide a convenient and permanent record of assessment. He shall also make, under proper headings, a tabular statement showing the footings of the several columns upon each page, and shall add and set down under the respective headings the total amounts of each column, which he shall attach to the highest numbered assessment book, and on the first Monday of July he shall file the same, properly

indexed, with the clerk of the county board of equalization for the purpose of equalization by said board. Such returns shall be verified by his affidavit, substantially in the following form:

State of Washington, ..... County, ss.

I, ..... Assessor, ....., do solemnly swear that the books No. 1 to No. ..., to the last of which this is attached, contain a correct and full list of all the real property (or personal property, as the case may be) subject to taxation in ..... county, so far as I have been able to ascertain the same; and that the assessed value set down in the proper column, opposite the several kinds and descriptions of property, is in each case ((fifty)) **one hundred** percent of the true and fair value of such property, to the best of my knowledge and belief, and that the footings of the several columns in said books, and the tabular statement returned herewith, are correct, as I verily believe.

....., Assessor.  
Subscribed and sworn to before me this ..... day of ..... 19.....  
(L. S.) ....., Auditor of ..... county.

PROVIDED, That the failure of the assessor to attach his certificate shall in nowise invalidate the assessment. After the same has been duly equalized by the county and state board of equalization, the same shall be delivered to the county assessor, who shall then extend the amount as levied by the state and county boards upon the said detail and assessment lists as by law provided.

Sec. 99. Section 84.48.080, chapter 15, Laws of 1961 as amended by section 9, chapter 288, Laws of 1971 ex. sess. and RCW 84.48.080 are each amended to read as follows:

Annually during the month of August, the department of revenue shall examine and compare the returns of the assessment of the property in the several counties of the state, and the assessment of the property of railroad and other companies assessed by the department, and proceed to equalize the same, so that each county in the state shall pay its due and just proportion of the taxes for state purposes for such assessment year, according to the ratio the valuation of the property in each county bears to the total valuation of all property in the state.

First. The department shall classify all property, real and personal, and shall raise and lower the valuation of any class of property in any county to a value that shall be equal, so far as possible, to the true and fair value of such class as of January 1st of the current year for the purpose of ascertaining the just amount of tax due from each county for state purposes. Such classification may be on the basis of types of property, geographical areas, or both.

Second. The department shall keep a full record of its proceedings and the same shall be published annually by the department.

Third. The department shall have authority to adopt rules and regulations to enforce obedience to its orders in all matters in relation to the returns of county assessments, and the equalization of values by the department.

The department shall levy the state taxes authorized by law: PROVIDED, That the amount levied in any one year for general state purposes shall not exceed the lawful [millage] *dollar rate* on the dollar of the assessed value of the property of the entire state, which assessed value shall be [fifty] *one hundred* percent of the true and fair value of such property in money; and shall apportion the amount of tax for state purposes levied by the department, among the several counties, in proportion to the valuation of the taxable property of the county for the year as equalized by the department.

After the completion of the duties hereinabove prescribed, the director of the department shall certify the record of the proceedings of the department under this section, the tax levies made for state purposes and the apportionment thereof among the counties, to the state auditor.

Sec. 100. Section 8, chapter 288, Laws of 1971 ex. sess. and RCW 84.48.085 are each amended to read as follows:

The board of equalization shall reconvene on the first Monday of August for the purpose of equalizing valuations of real property within the county. Such equalization shall be accomplished in the following manner:

(1) The department of revenue shall certify to the board the ratio of the assessed valuation of locally assessed property in the county to the true and fair value of such property, based upon assessed values established without regard to equalization accomplished pursuant to this section (hereinafter referred to as the "tentative county indicated ratio"). The department shall also certify the ratio of the assessed valuation of locally assessed property in those geographical areas in the county which have been revalued [pursuant to a cyclical revaluation program approved by the department of revenue] *during the year ending May 31st prior to the convening of the board* to the true and fair value of such property [hereinafter referred to as the "revaluation ratio"]. If, pursuant to the [cyclical] revaluation program, land alone or improvements alone have been revalued for any assessment year, the revaluation ratio shall be for land alone, or improvements alone, as appropriate, or such combination thereof as is appropriate. The board shall review the revaluation ratio so certified, and may accept, reject, or modify the ratio.

(2) If the revaluation ratio, as determined by the board, exceeds one hundred and [ten] *fifteen* percent of the tentative county indicated ratio, the board shall order the assessor, in accordance with the provisions of RCW 84.41.040, to reduce by a uniform percentage the true and fair values of land, improvements, or both as appropriate, within the geographical areas covered by the revaluation ratio by a uniform percentage such that the revaluation ratio shall equal the tentative county indicated ratio. The board shall also order the assessor to make appropriate similar adjustments to properties valued in the same year. For the purpose of administrative convenience, such reductions may be accomplished, in lieu of actual changes in the assessment rolls, by the assessor certifying to the treasurer the percentage adjustment for the geographical areas involved, on the basis of which the treasurer shall adjust the amount of taxes otherwise payable.

Sec. 101. Section 84.52.010, chapter 15, Laws of 1961 as last amended by section 6, chapter 243, Laws of 1971 ex. sess. and RCW 84.52.010 are each amended to read as follows:

All taxes shall be levied or voted in specific amounts, and the rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively: PROVIDED, That when any such county assessor shall find that the aggregate rate of levy on any property will exceed the limitation set forth in *section 134 of this 1973 amendatory act and* RCW 84.52.050 as now or hereafter amended, he shall recompute and establish a consolidated levy in the following manner:

(1) He shall include for extension on the tax rolls the full rates of levy certified to him for state, county, county road districts, city and school district purposes in amounts not exceeding the limitations established by law: PROVIDED, That in the event of a levy made pursuant to [section 5 of this 1971 amendatory act] *RCW 84.34.230*, the rates of levy for county, county road district, and school district purposes shall be reduced in such uniform percentages as will result in a consolidated levy by such taxing districts which will be no greater on any property than a consolidated levy by such taxing districts would be if the levy had not been made pursuant to [section 5 of this 1971 amendatory act] *RCW 84.34.230*, and

(2) He shall include for extension on the tax rolls the rates percent of the tax levies certified to him by all other taxing districts imposing taxes on such property, other than port districts and public utility districts, reduced by him in such uniform percentages as will bring the consolidated tax levy on such property within the provisions of such limitation.

Sec. 102. Section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 3, Laws of 1973 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 section 134 of this 1973 amendatory act* shall not prevent the levy of additional taxes [, not in excess of five mills a year and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, or the levy of additional taxes to pay interest on or toward the reduction, at the rates provided by statute, of the principal of county, city, town, or school district warrants outstanding December 6, 1932; but this millage limitation with respect to general obligation bonds shall not apply to] *by any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, school district, metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county 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 section 134 of this 1973 amendatory act, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, school district, metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended, at a special 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 board of county commissioners or other county legislative authority, board of school directors, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town, 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 [levies] *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".

Sec. 103. Section 84.52.054, chapter 15, Laws of 1961 and RCW 84.52.054 are each amended to read as follows:

The additional tax provided for in subparagraph (a) of the seventeenth amendment to the state Constitution *as amended by Amendment 59* and specifically authorized by RCW 84.52.052 shall be set forth in terms of dollars on the ballot of the proposition to be submitted to the voters, together with an estimate of the [millage] *dollar rate of tax levy* that will be required to produce the dollar amount; and the county assessor, in spreading this tax upon the rolls, shall determine the eventual [millage] *dollar rate* required to produce the amount of dollars so voted upon, regardless of the estimate of [millage] *dollar rate of tax levy* carried in said proposition.

Sec. 104. Section 84.52.056, chapter 15, Laws of 1961 and RCW 84.52.056 are each amended to read as follows:

Any municipal corporation otherwise authorized by law to issue general obligation bonds for capital purposes may, at an election duly held after giving notice thereof as required by law, authorize the issuance of general obligation bonds for capital purposes only, which shall not include the replacement of equipment, and provide for the payment of the principal and interest of such bonds by annual levies in excess of the tax limitations contained in RCW 84.52.050 to 84.52.056, inclusive *and section 134 of this 1973 amendatory act*. Such an election shall not be held oftener than twice a calendar year, and the proposition to issue any such bonds and to exceed said tax limitation must receive the affirmative vote of a three-fifths majority of those voting on the proposition and the total number of persons voting at such election must constitute not less than forty percent of the

voters in said municipal corporation who voted at the last preceding general state election.

Any 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 limitations provided for in RCW 84.51.050 to 84.52.056, inclusive *and section 134 of this 1973 amendatory act.*

Sec. 105. Section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063 are each amended to read as follows:

A rural library district may impose [, notwithstanding the millage limitations provided for in RCW 84.52.050 and 84.54.020,] a regular property tax levy in an amount equal to that which would be produced by a levy of [two mills] *forty-five cents per thousand dollars of assessed value* multiplied by an assessed valuation equal to [twenty-five] *one hundred* percent of the true and fair value of the taxable property in the rural library district, as determined by the department of revenue's indicated county ratio: *PROVIDED, That when any county assessor shall find that the aggregate rate of levy on any property will exceed the limitation set forth in section 134 of this 1973 amendatory act and RCW 84.52.050, as now or hereafter amended, before recomputing and establishing a consolidated levy in the manner set forth in RCW 84.52.010, the assessor shall first reduce the levy of any rural library district, by such amount as may be necessary, but the levy of any rural library district shall not be reduced to less than fifty cents per thousand dollars against the value of the taxable property, as determined by the county, prior to any further adjustments pursuant to RCW 84.52.010.* For purposes of this section "regular property tax levy" shall mean a levy subject to the [forty mill] limitations provided for in Article VII, section 2 of the state Constitution *and/or by statute.*

Sec. 106. Section 1, chapter 33, Laws of 1967 ex. sess. as last amended by section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065 are each amended to read as follows:

In each [of the years 1967 and 1968 and 1969 and 1970 and 1971 and 1972] *year* the state shall levy for collection in [1968 and 1969 and 1970 and 1971 and 1972 and 1973 respectively] *the following year* for the support of common schools of the state a tax of [two mills] *three dollars and sixty cents per thousand dollars of assessed value* upon the assessed valuation of all taxable property within the state adjusted [to fifty percent of true and fair value of such property in money] in accordance with the *indicated* ratio fixed by the state department of revenue. [Such levy shall be in addition to the levy for public assistance purposes as provided in RCW 74.04.150 and 84.52.050, as now or hereafter amended.]

Sec. 107. Section 22, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.030 are each amended to read as follows:

For the first levy for a taxing district following annexation of additional property, the limitation set forth in RCW 84.55.010 shall be increased by an amount equal to (1) the aggregate assessed valuation of the newly annexed property as shown by the current completed and balanced tax rolls of the county or counties within which such property lies, multiplied by (2) the [millage] *dollar* rate that would have been used by the annexing unit in the absence of such annexation, plus (3) the additional dollar amount calculated by multiplying the increase in assessed value in the annexing district resulting from new constructions and improvements to property by the regular property tax levy rate of that annexing taxing district for the preceding year.

Sec. 108. Section 23, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.040 are each amended to read as follows:

If by reason of the operation of *section 134 of this 1973 amendatory act and RCW 84.52.050, as now or hereafter amended* the statutory [millage] *dollar rate* limitation applicable to the levy by a taxing district has been increased over the statutory millage limitation applicable to such taxing district's levy in the preceding year, the limitation on the *dollar rate* amount of a levy provided for in this chapter shall be increased by multiplying the otherwise dollar limitation by a fraction, the numerator of which is the increased [millage] *dollar* limitation and the denominator of which is the [millage] *dollar* limitation for the prior year.

Sec. 109. Section 24, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.050 are each amended to read as follows:

Subject to any otherwise applicable statutory [millage] *dollar rate* limitations, regular property taxes may be levied by or for a taxing district in an amount exceeding the limitations provided for in RCW 84.55.010 through 84.55.040 if such levy is authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters. Any election held pursuant to this section shall be held not more than twelve months prior to the date on which the proposed levy is to be made. The ballot of the proposition shall state the [millage] *dollar rate* proposed. After a levy authorized pursuant to this section is made, the dollar amount of such levy shall be used for the purpose of computing the limitations for subsequent levies provided for in this chapter.

Sec. 110. Section 84.56.180, chapter 15, Laws of 1961 as amended by section 5, chapter 124, Laws of 1969 ex. sess. and RCW 84.56.180 are each amended to read as follows:

Whenever any person, firm or corporation, shall, subsequent to the first day of January of any year, bring or send into any county from outside the state any stock of goods or merchandise to be sold or disposed of in a place of business temporarily occupied for their sale, without the intention of engaging in permanent trade in such place, the owner, consignee or person in charge of the said goods or merchandise shall immediately notify the county assessor, and thereupon the assessor shall at once proceed to value the said stock of goods and merchandise at its true value, and upon [fifty] *one hundred* percent of such valuation the said owner, consignee or person in charge shall pay to the collector of taxes a tax at the rate assessed for state, county and local purposes in the taxing district in the year then current. And it shall not be lawful to sell or dispose of any such goods or merchandise as aforesaid in such taxing district until the assessor shall have been so notified as aforesaid and the tax assessed thereon paid to the collector. Every person, firm or corporation bringing into any county of this state from outside the state any goods or merchandise after the first day of January shall be deemed subject to the provisions of this section.

This section shall not apply to goods or merchandise consigned to a person for sale at such person's permanent place of business within this state, if such person is required to list such goods or merchandise pursuant to RCW 84.40.185.

Sec. 111. Section 4, chapter 184, Laws of 1967 and RCW 85.15.030 are each amended to read as follows:

To operate under this chapter, the board of commissioners of the improvement district shall cause to be prepared and filed with the board of county commissioners a property roll. The roll shall contain: (1) A description of all properties benefited and improvements thereon which receive protection and service from the systems of the district with the name of the owner or the reputed owner thereof and his address as shown on the tax rolls of the assessor or treasurer of the county wherein the property is located and (2) the determined value of such land and improvements thereon as last assessed and equalized by the assessor of such county or counties. Such assessed and equalized values shall be deemed *prima facie* to be just, fair and correct valuations against which annual [millage] *taxes* shall be levied for the operation of the district and the maintenance and expansion of its facilities.

If property outside of the limits of the original district are upon the roll as adopted ultimately, and the original district has outstanding bonds or long-term warrants, the board of county commissioners shall set up separate [millage] *dollar rate* levies for the full retirement thereof.

Sec. 112. Section 7, chapter 184, Laws of 1967 and RCW 85.15.060 are each amended to read as follows:

The board of county commissioners may at any time reexamine the properties on any roll, and upon receipt of a petition from the board of supervisors of the district or the written request of a property owner shall do so. If it is found that the condition of such property or properties has changed so that such property should be eliminated from any rolls on file, or the valuation against which [millage] *dollar rate* is levied should be lowered, it shall so determine and enter an order adjusting the valuation as to such properties and

shall certify and file a copy thereof with the treasurer of the county wherein the property is situated, and the treasurer shall alter and change the existing rolls accordingly. Valuations may be revised periodically to reflect changes in real property valuations by the county assessor.

Sec. 113. Section 8, chapter 184, Laws of 1967 and RCW 85.15.070 are each amended to read as follows:

The roll approved and certified to the county officers by the board of county commissioners as in this chapter provided shall constitute the valuations of land, buildings and improvements furnished protection and services by the systems of the district against which valuation [millage] *taxes* shall be levied and collected annually in the same manner as general taxes for the continuing operations of the district and its systems. The valuations on said roll shall be subject to adjustment from time to time in the manner provided in RCW 85.15.060.

The board of county commissioners shall hold a hearing on such adjustments at the county seat at the time of equalization of real property assessments for the purpose of considering written objections to any revision of valuations filed at least ten days prior to the hearing and shall give published notice only of such hearing as provided in RCW 85.15.040.

Sec. 114. Section 15, chapter 184, Laws of 1967 and RCW 85.15.140 are each amended to read as follows:

The [millage] *dollar rate* levies collected from time to time under this chapter are solely assessments for benefits received continuously by the protected properties, calculated in the manner specified in this chapter as a just and equitable way for all protected property to share the expense of such required protection and services.

Sec. 115. Section 2, chapter 45, Laws of 1951 and RCW 85.18.010 are each amended to read as follows:

When any diking district has been organized and the improvements made afford protection to land and buildings within such district against damage or destruction from overflow waters in that the level of the land and of the foundational structures of buildings thereon is below the water level at flood or high tide stages of the waters, fresh or salt, against which such district improvements furnished protection, the board of diking commissioners of such district may, under the procedure established in this chapter, determine such fact and by resolution so declare; and may provide that the cost of continued functioning of the district shall be paid through levies of [millage] *dollar rates* made and collected according to this chapter against the land and buildings thus protected, based upon the determined base benefits received by such land and buildings.

Sec. 116. Section 4, chapter 45, Laws of 1951 and RCW 85.18.030 are each amended to read as follows:

After the roll is prepared the board shall give notice of a time and place at which the board will hold a public hearing to determine whether the facts and conditions heretofore recited in this chapter as a prerequisite to its application do or do not exist, and if so found to exist by said board at said hearing, then the board shall by resolution so declare. The notice shall also state that at said hearing, or any continuance thereof, the board will sit to consider said roll and to determine the continuous base benefits which each of the properties thereon are receiving and will receive from the continued operation and functioning of such district, which shall in no instance exceed [fifty] *one hundred* percent of the true and fair value of such property in money, will consider all objections made thereto or to any part thereof, and will correct, revise, lower, change, or modify such roll as shall appear just and equitable; that when correct benefits are fixed upon said roll by said board, it will adopt said roll by resolution as establishing, until modified as hereinafter provided, the continuous base benefit to said protected lands and buildings against which will be levied and collected [millage] *dollar rates* to provide funds for the continuous functioning of said district.

Sec. 117. Section 9, chapter 45, Laws of 1951 and RCW 85.18.080 are each amended to read as follows:

Until further modified, amended, or changed by an additional or supplemental roll certified to the county auditor after the foregoing procedure is had, the original roll, as



modified or supplemented, if the same is done, shall serve as the base of benefits to the land and buildings protected by the improvement system of said district against which [millage] *dollar rate* is levied and collected from time to time for the continued functioning of said diking district.

Sec. 118. Section 16, chapter 45, Laws of 1951 and RCW 85.18.150 are each amended to read as follows:

The [millage] *dollar rate* levy returns collected from time to time under this chapter are solely assessments for benefits received continuously by the protected properties, calculated in the manner specified in this chapter as a just and equitable way for all protected property to share the expense of such required protection.

Sec. 119. Section 19, chapter 225, Laws of 1909 and RCW 85.24.250 are each amended to read as follows:

Whenever it shall appear to the city council of any incorporated city or town not included or not wholly included within the limits of any diking or drainage district established hereunder, which incorporated city or town may be within a county in which a portion of such district is located that the construction and maintenance of such diking and drainage system will be beneficial to the health of the inhabitants of said incorporated city and to the general welfare of the said city, then the city council of said city is hereby empowered and authorized to appropriate such amount of money out of the general funds of the city as may to the city council seem proper and just to such diking and drainage system, or the city council may for such purpose levy an assessment upon all the property in said city subject to taxation by said city, which shall not exceed [one-half mill for each dollar] *twelve and one-half cents per thousand dollars of assessed value* of property.

Sec. 120. Section 4, chapter 131, Laws of 1961 and RCW 85.32.030 are each amended to read as follows:

The board may: (1) Make initial determination that the district's facilities furnish benefit to improvements upon land as well as land alone within the district in protecting against and furnishing run-off for surface and/or flood waters; (2) Make initial determination that lands and improvements thereon outside of the territorial limits of the district are receiving a service from the facilities of the district, and are benefited thereby in that waters from such lands through ditches, drains, or other artificial methods, other than by natural flow or seepage, are so cast as to have outlet through the district's facilities; (3) Determine that properties so found to be served should pay a just proportion of the operational and maintenance costs of the district; (4) In connection with so finding, cause a roll of property thus served and benefited by the district's facilities to be prepared and filed with it, and give notice of a hearing thereon as provided in this chapter; (5) Hold public hearings to determine the ultimate facts and approve an ultimate role of properties served and benefited by the facilities of the district and valuations thereof to serve as a basis against which annual [millage] *dollar rate* levy may be assessed for continuous benefits furnished such properties; make revision thereof as the facts warrant from time to time; provide for the levying of such [millage] *dollar rate* levy; and make return of such roll finally adopted by certifying and filing a copy thereof with the auditor, assessor and treasurer of the county wherein the properties involved are located.

Sec. 121. Section 5, chapter 131, Laws of 1961 and RCW 85.32.040 are each amended to read as follows:

In the initial instance, when the board of any district, desires to use the method and procedure provided in this chapter, and in order that uniformity may be had, it may cause a roll of all properties within the district claimed to be benefited by its drainage system, and in addition or as a part thereof, a roll of all properties outside of the territorial limits of said district claimed to be served and benefited by the drainage systems of said district, to be prepared and filed with it. Thereupon, the board shall by resolution declare:

(1) That it has made initial determination that the district's facilities are furnishing and will furnish service and benefit to the properties, including improvements thereon, described in such roll;

(2) That such roll has been filed with it and will remain so filed and open to inspection by any party interested therein at all reasonable times;

(3) That a public hearing will be held by the board at a time and place stated to give

consideration to the facts and make ultimate determination of the same and to said roll;

(4) That when said roll is finally adopted, annual [millage] *dollar rate* levies will be made by the district against said properties based upon the valuation thereof as shown on said roll when ultimately adopted to raise money based on benefit and service for the continuous operation and maintenance of said district;

(5) That at the time of hearing, it will hear all objections filed and will review, adopt, modify, or revise said roll consistent with existing facts to the end that property receiving service and benefit from the facilities of the district shall pay justly and equitably therefor in proportion to benefit received and;

(6) That upon said hearing or adjournments thereof, the board will determine the ultimate facts concerning service and benefit received by all properties ultimately contained in said roll and as to such properties it will adopt the roll in final form and proceed as in this chapter provided.

Sec. 122. Section 6, chapter 131, Laws of 1961 and RCW 85.32.050 are each amended to read as follows:

The roll of properties referred to in this chapter shall contain (1) a description of all properties and improvements thereon, with the name of the owner or the reputed owner thereof and his address as shown on the tax rolls of the assessor or treasurer of the county wherein the property is located, and (2) the determined value of such land and improvements thereon as last assessed and equalized by the taxing agencies of such county. Such assessed and equalized values shall be deemed prima facie as a just, fair and correct base of value for consideration by the board in its determination ultimately of the just and correct base of value in each instance against which annual [millage] *dollar rates* shall be levied by the district for the operation of the district and the expansion and maintenance of its facilities.

If property outside of the territorial limits of the district are upon the roll as adopted ultimately, and the district has prior indebtedness existing, the board shall set up separate [millage] *dollar rate* levies for the retirement thereof until it is extinguished, which levies shall be applied solely against the properties within the territorial limits of the district. Adjustments of the roll shall be made before final adoption in such a manner that the money raised through annual [millage] *dollar rate* levies for maintenance, expansion and operational costs of the district in no instance shall exceed the value of the service rendered or to be rendered and the benefit received and to be received by the property involved.

Sec. 123. Section 7, chapter 131, Laws of 1961 and RCW 85.32.060 are each amended to read as follows:

When the board causes a property roll to be filed with it and a hearing to be held thereon as provided in this chapter, it shall give notice of such hearing in the following manner:

The notice shall be published at least three times in consecutive issues in a weekly newspaper, or once a week for three consecutive weeks in a daily newspaper, published in or near said district, and if there is more than one such paper, then in some paper chosen by the board having general circulation in the area involved. The last publication shall be more than fifteen days prior to date of hearing. The board also shall cause a copy of such notice to be mailed in regular course of the federal mail at least thirty days prior to the date of such hearing to the owner or reputed owner of such property at his address, all as shown on the tax rolls or records of the county taxing agencies of the county wherein the property is situated, such notice being deemed adequate and sufficient. The sworn affidavit of the one doing such mailing shall be deemed conclusive of the fact that such notice was mailed.

Such notice shall state the following:

(1) That the board has tentatively determined that the property of the owner or reputed owner named is receiving and will receive service and benefit from the facilities of the district;

(2) That the board has caused a tentative roll of such properties with any improvements thereon which are receiving and will receive such service and benefit to be filed with it; and that such roll shows a base of valuation thereon for said properties against which annual [millage] *dollar rates* will be levied and collected in the same manner as general taxes to pay the fair value of the benefit and service received and to be received by

such property through use of the facilities of the district, and to pay the annual cost of operation, development and maintenance of the district and its facilities;

(3) That on a date, time and place stated, the board will give consideration to the facts and the roll, will hear all objections filed, will review said roll and alter, modify, or change the same consistent with facts established and with equity and fair dealing concerning the properties involved to the end that just levies will be made for service and benefits received and to be received against each property for the purposes mentioned; and at the hearing or continuance thereof, it will adopt the roll in final form and certify and file a copy thereof with the assessor and treasurer of the county wherein the property is located; and will cause annual millage to be levied against such established valuations for the purposes stated;

(4) That all persons desiring to object to the proceedings, to the proposed base valuations, or to any other thing or matter in connection with the proceedings, must file written objections with the board stating clearly the basis of such objection before the time of the hearing, or all objections will be deemed waived.

Sec. 124. Section 11, chapter 131, Laws of 1961 and RCW 85.32.100 are each amended to read as follows:

The board may at any time reexamine the properties on any roll, and upon request of an owner shall do so, and if it is found that the condition of such property or properties has changed so that justly such property should be eliminated from any rolls on file, or the base against which [millage] *dollar rate* is levied should be lowered, it shall so determine and make a supplemental roll with reference to such property or properties. When adopted by it, the board shall certify and file a copy thereof with the auditor, assessor and treasurer of the county wherein the property is situated, and such officer shall alter and change the existing rolls accordingly.

Sec. 125. Section 12, chapter 131, Laws of 1961 and RCW 85.32.110 are each amended to read as follows:

The roll certified to the county officers as in this chapter provided, and any modification thereof as provided, shall serve as the base of benefits as to land, buildings and improvements furnished service and benefit by the systems of the district against which valuations [millage] *dollar rates* shall be levied and collected in the same manner as general taxes from time to time for the continuing functioning of the district and its systems. The [millage] *dollar rate* shall be levied in the manner required by law for [millage] *dollar rate* levies by drainage districts.

Sec. 126. Section 13, chapter 131, Laws of 1961 and RCW 85.32.120 are each amended to read as follows:

If any property outside of the territorial limits of the district is placed upon a roll as finally adopted, and at the time such property becomes subject to charge for service and benefit from the district's system, there is an existing outstanding indebtedness owing by the district, the board shall make a separate estimate of the revenue required to be raised to pay or apply upon such indebtedness until it is extinguished, and it shall proceed and certify the same as hereinabove provided, and no [millage] *dollar rate* for raising revenue to extinguish such indebtedness shall be included in the levies made against any properties lying outside of the territorial limits of said district.

When thus levied, the amount of assessment produced thereby shall be added by the general taxing authorities to the general taxes against said lands and collected therewith as a part thereof. If unpaid, any delinquencies in such assessments shall bear interest at the same rate and in the same manner as general taxes and they shall be included in and be made a part of any general tax foreclosure proceedings according to the provisions of law with relation to such foreclosures. As assessment collections are made, the county treasurer shall credit same to the funds of such district.

Sec. 127. Section 22, chapter 131, Laws of 1961 and RCW 85.32.210 are each amended to read as follows:

The [millage] *dollar rate* levy returns collected from time to time under this chapter are solely assessments for benefits received continuously by the benefited properties, calculated in the manner specified in this chapter as a just and equitable way for all benefited property to share the expense of such required service.

Sec. 128. Section 4, chapter 154, Laws of 1967 and RCW 85.36.030 are each amended

to read as follows:

For the purpose of proportionately assessing the benefits of any project constructed, maintained, or operated by any diking district or drainage district, benefit assessments proportioned in a direct relationship to the assessed valuation as last equalized for general tax purposes of the lands benefited shall be deemed prima facie to be fair and correct valuations against which annual [millage] *dollar rates* shall be levied.

Sec. 129. Section 1, chapter 66, Laws of 1907 as amended by section 8, chapter 204, Laws of 1941 and RCW 86.12.010 are each amended to read as follows:

The county commissioners of any county may annually levy a tax, beginning with the year 1907, in such amount as, in their judgment they may deem necessary or advisable, but not to exceed [one mill] *twenty-five cents per thousand dollars of assessed values* upon all taxable property in such county, for the purpose of creating a fund to be known as "river improvement fund." There is hereby created in each such river improvement fund an account to be known as the "flood control maintenance account."

Sec. 130. Section 1, chapter 54, Laws of 1913 and RCW 86.13.010 are each amended to read as follows:

Wherever and whenever a river is or shall be the boundary line or part of the boundary line between two counties, or it, or its tributaries or outlet or part thereof, flows through parts of two counties, and the waters thereof have in the past been the cause of damage, by inundation or otherwise, to the roads, bridges or other public property situate in or to other public interests of both such counties, or the flow of such waters shall have alternated between the said counties so at one time or times such waters shall have caused damage to one county and at another time or times to the other county, and it shall be deemed by the boards of county commissioners of both counties to be for the public interests of their respective counties that the flow of such waters be definitely confined to a particular channel, situate in whole or in part in either county, in a manner calculated to prevent such alternation or to prevent or lessen damage in the future, it shall be lawful for the two counties, and their boards of county commissioners are hereby empowered, pursuant to resolution, to enter into a contract in writing in the names of the respective counties for the purpose of settling all disputes in relation to any such situation, and providing ways and means for the control and disposition of such waters. Any such contract may provide:

(1) That it shall be operative in perpetuity, or only for a term of years or other measure of time to be specified therein.

(2) The amount of money to be expended by each county during each year of the life of said contract, or such other method of determining the amount of expenditure or dividing the financial burden as may be agreed upon.

(3) That an annual tax shall be levied, at the same time and in the same manner as other county taxes are levied, each year during the life of the contract, by the county commissioners of each county. The annual tax herein provided for need not be levied at the same rate for each county, but shall be at such rate in each county as will produce annually the amount of money for each county as is required for the fulfillment of the contract on its part: PROVIDED, HOWEVER, That in no event shall any such tax levy by either county exceed [one mill on the dollar] *twenty-five cents per thousand dollars of assessed value* for any one year.

(4) That the general scheme for the improvement of such river shall be as stated in such contract, but by consent of the contracting parties, pursuant to resolution of each board of county commissioners, such scheme may be modified from time to time during the life of the contract. The contract may but need not provide the details of such scheme, but must designate the general purpose to be accomplished. So far as details are not specified in the contract, same shall be for future determination by joint action of the two boards of county commissioners. Any such contract may be subsequently modified or abrogated by mutual consent evidenced by separate resolution of both boards of county commissioners.

Sec. 131. Section 16, chapter 153, Laws of 1961 and RCW 86.15.160 are each amended to read as follows:

For the purposes of this chapter the board may authorize:

(1) A special annual ad valorem levy within any zone or participating zones when authorized by the voters of such zone or participating zones pursuant to the provisions of

RCW 84.52.052 and RCW 84.52.054; and

(2) An assessment upon property specially benefited by an improvement made pursuant to the provisions of chapter 86.09; and

(3) Within any zone or participating zones an annual levy of not to exceed [two mills] *fifty cents per thousand dollars of assessed value* when such levy will not take [millage] *dollar rates* which other taxing districts may lawfully claim and which will not cause the combined levies to exceed the [forty mill] *constitutional and/or statutory* limitations, and such additional levy, or any portion thereof, may also be made when [millage] *dollar rates* of other taxing units is released therefor by agreement with the other taxing units from their authorized levies.

Sec. 132. Section 8, chapter 226, Laws of 1961 and RCW 87.84.070 are each amended to read as follows:

The directors shall be empowered to specially assess land located in the district for benefits thereto taking as a basis the last equalized assessment for county purposes: PROVIDED, That such assessment shall not exceed [one mill] *twenty-five cents per thousand dollars of assessed value* upon such assessed valuation without securing authorization by vote of the electors of the district at an election called for that purpose.

The board shall give notice of such an election, for the time and in the manner and form provided for irrigation district elections. The manner of conducting and voting at such an election, opening and closing polls, canvassing the votes, certifying the returns, and declaring the result shall be nearly as practicable the same as in irrigation district elections.

The special assessment provided for herein shall be due and payable at such times and in such amounts as designated by the district directors, which designation shall be made to the county auditor in writing, and the amount so designated shall be added to the general taxes, and entered upon the assessment rolls in his office, and collected therewith.

**NEW SECTION.** Sec. 133. The following acts or parts of acts are each hereby repealed:

- (1) Section 7, chapter 152, Laws of 1919 and RCW 17.12.070;
- (2) Section 6, chapter 140, Laws of 1921 and RCW 17.16.120;
- (3) Section 28A.48.110, chapter 223, Laws of 1969 ex. sess., section 2, chapter 100, Laws of 1971 ex. sess., section 10, chapter 124, Laws of 1972 ex. sess. and RCW 28A.48.110;
- (4) Section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061;
- (5) Section 2, chapter 174, Laws of 1965 ex. sess., section 2, chapter 146, Laws of 1967 ex. sess., section 7, chapter 92, Laws of 1970 ex. sess. and RCW 84.54.020; and
- (6) Section 74.04.150, chapter 26, Laws of 1959, section 66, chapter 262, Laws of 1969 ex. sess., section 3, chapter 92, Laws of 1970 ex. sess., section 17, chapter 281, Laws of 1971 ex. sess. and RCW 74.04.150.

**NEW SECTION.** Sec. 134. There is added to chapter 84.52 RCW a new section to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named shall be as follows: The levy by the state shall not exceed three dollars and sixty cents per thousand dollars of assessed value to be used exclusively for the support of the common schools; the levy by any county shall not exceed one dollar and eighty cents per thousand dollars of assessed value; the levy for any road district shall not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and the levy by or for any city or town shall not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value: PROVIDED FURTHER, That counties of the fifth class and under are hereby authorized to levy from one dollar and eighty cents to two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes and from one dollar and fifty-seven and one-half cents to two dollars and twenty-five cents per thousand dollars of assessed value for county road purposes if the total levy for both purposes does not exceed four dollars and five cents per thousand dollars of assessed value: PROVIDED FURTHER, That counties of the fourth and the ninth class are hereby authorized to levy two dollars and two and one-half cents per thousand dollars of assessed value until such time as the junior taxing agencies are utilizing all the dollar rates available to them: AND PROVIDED FURTHER, That the total property tax levy

authorized by law without a vote of the people shall not exceed nine dollars and fifteen cents per thousand dollars of assessed value. Levies at the rates provided by existing law by or for any port or public utility district shall not be included in the limitation set forth by this proviso.

Nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district.

It is the intent of the legislature that the provisions of this section shall supersede all conflicting provisions of law including section 24, chapter 299, Laws of 1971 ex. sess. and section 8, chapter 124, Laws of 1972 ex. sess.

*NEW SECTION.* Sec. 135. If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*NEW SECTION.* Sec. 136. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately: PROVIDED, That section 9 shall take effect January 1, 1974, and section 133 (3) shall take effect on January 31, 1974."

On line 1 of the title after "taxation" strike the remainder of the title and insert the following: "amending section 12, chapter 182, Laws of 1945 as amended by section 1, chapter 194, Laws of 1949 and RCW 14.08.290; amending section 7, chapter 152, Laws of 1919 and RCW 17.12.070; amending section 6, chapter 140, Laws of 1921 and RCW 17.16.120; amending section 10, chapter 153, Laws of 1957 and RCW 17.28.100; amending section 4, chapter 64, Laws of 1959 and RCW 17.28.252; amending section 26, chapter 153, Laws of 1957 as last amended by section 5, chapter 56, Laws of 1970 ex. sess. and RCW 17.28.260; amending section 5, chapter 59, Laws of 1955 and RCW 27.12.050; amending section 7, chapter 59, Laws of 1955 as amended by section 2, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.070; amending section 7, chapter 75, Laws of 1947 as amended by section 8, chapter 59, Laws of 1955 and RCW 27.12.150; amending section 28, chapter 104, Laws of 1903 as last amended by section 26, chapter 176, Laws of 1969 ex. sess. and RCW 27.16.020; amending section 2, chapter 46, Laws of 1973 and RCW 28A.41.130; amending section 28B.20.394, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 107, Laws of 1972 ex. sess. and RCW 28B.20.394; amending section 35.07.180, chapter 7, Laws of 1965 and RCW 35.07.180; amending section 35.10.240, chapter 7, Laws of 1965 as last amended by section 7, chapter 89, Laws of 1969 ex. sess. and RCW 35.10.240; amending section 14, chapter 89, Laws of 1969 ex. sess. and RCW 35.10.315; amending section 35.13.172, chapter 7, Laws of 1965 and RCW 35.13.172; amending section 35.21.430, chapter 7, Laws of 1965 and RCW 35.21.430; amending section 35.23.470, chapter 7, Laws of 1965 and RCW 35.23.470; amending section 35.24.350, chapter 7, Laws of 1965 and RCW 35.24.350; amending section 35.30.020, chapter 7, Laws of 1965 and RCW 35.30.020; amending section 35.31.060, chapter 7, Laws of 1965 and RCW 35.31.060; amending section 8, chapter 7, Laws of 1967 and RCW 35.32A.060; amending section 22, chapter 95, Laws of 1969 ex. sess. and RCW 35.33.145; amending section 35.56.190, chapter 7, Laws of 1965 and RCW 35.56.190; amending section 35.58.090, chapter 7, Laws of 1965 and RCW 35.58.090; amending section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 9, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.450; amending section 35.61.210, chapter 7, Laws of 1965 and RCW 35.61.210; amending section 35A.14.220, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.220; amending section 35A.31.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.31.070; amending section 35A.33.145, chapter 119, Laws of 1967 ex. sess. and RCW 35A.33.145; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 42, Laws of 1970 ex. sess. and RCW 35A.40.090; amending section 36.32.350, chapter 4, Laws of 1963 as last amended by section 3, chapter 85, Laws of 1971 ex. sess. and RCW 36.32.350; amending section 36.33.140, chapter 4, Laws of 1963 and RCW 36.33.140; amending section 1, chapter 25, Laws of 1971 ex. sess. and RCW 36.33.220; amending section 36.40.090, chapter 4, Laws of 1963 and RCW 36.40.090; amending section 1, chapter 102, Laws of 1972 ex. sess. and RCW 36.40.300; amending section 36.47.040, chapter 4, Laws of 1963 as last amended by section 2, chapter 47, Laws

of 1970 ex. sess. and RCW 36.47.040; amending section 36.54.080, chapter 4, Laws of 1963 and RCW 36.54.080; amending section 36.62.090, chapter 4, Laws of 1963 and RCW 36.62.090; amending section 9, chapter 218, Laws of 1963 and RCW 36.68.480; amending section 13, chapter 218, Laws of 1963 as amended by section 19, chapter 42, Laws of 1970 ex. sess. and RCW 36.68.520; amending section 36.69.140, chapter 4, Laws of 1963 as last amended by section 20, chapter 42, Laws of 1970 ex. sess. and RCW 36.69.140; amending section 36.82.040, chapter 4, Laws of 1963 as amended by section 2, chapter 25, Laws of 1971 ex. sess. and RCW 36.82.040; amending section 11, chapter 189, Laws of 1967 and RCW 36.93.110; amending section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 92, Laws of 1970 ex. sess. and RCW 41.16.060; amending section 4, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.040; amending section 2, chapter 13, Laws of 1911 and RCW 45.72.050; amending section 3, chapter 243, Laws of 1969 ex. sess. and RCW 45.82.020; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 103, Laws of 1972 ex. sess. and RCW 46.68.120; amending section 20, chapter 34, Laws of 1939 as last amended by section 1, chapter 101, Laws of 1963 and RCW 52.08.030; amending section 3, chapter 70, Laws of 1941 as last amended by section 1, chapter 18, Laws of 1965 ex. sess. and RCW 52.08.060; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 30, chapter 42, Laws of 1970 ex. sess. and RCW 52.16.080; amending section 7, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.120; amending section 8, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 1, chapter 105, Laws of 1971 ex. sess. and RCW 52.16.130; amending section 9, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.140; amending section 9, chapter 53, Laws of 1961 as amended by section 2, chapter 243, Laws of 1969 ex. sess. and RCW 52.16.160; amending section 4, chapter 31, Laws of 1961 as amended by section 3, chapter 47, Laws of 1970 ex. sess. and RCW 53.06.040; amending section 11, chapter 65, Laws of 1955 and RCW 53.36.020; amending section 1, chapter 29, Laws of 1925 as amended by section 1, chapter 22, Laws of 1965 ex. sess. and RCW 53.36.070; amending section 1, chapter 265, Laws of 1957 and RCW 53.36.100; amending section 4, chapter 162, Laws of 1971 ex. sess. and RCW 53.47.040; amending section 9, chapter 390, Laws of 1955 and RCW 54.16.080; amending section 4, chapter 210, Laws of 1941 as last amended by section 1, chapter 250, Laws of 1953 and RCW 56.04.050; amending section 1, chapter 267, Laws of 1961 as amended by section 4, chapter 47, Laws of 1970 ex. sess. and RCW 56.08.110; amending section 14, chapter 210, Laws of 1941 as last amended by section 10, chapter 250, Laws of 1953 and RCW 56.16.010; amending section 17, chapter 210, Laws of 1941 as last amended by section 6, chapter 103, Laws of 1959 and RCW 56.16.030; amending section 18, chapter 210, Laws of 1941 as last amended by section 80, chapter 56, Laws of 1970 ex. sess. and RCW 56.16.040; amending section 16, chapter 250, Laws of 1953 as amended by section 12, chapter 103, Laws of 1959 and RCW 56.16.115; amending section 3, chapter 114, Laws of 1929 as last amended by section 1, chapter 251, Laws of 1953 and RCW 57.04.050; amending section 1, chapter 242, Laws of 1961 as amended by section 5, chapter 47, Laws of 1970 ex. sess. and RCW 57.08.110; amending section 7, chapter 18, Laws of 1959 as amended by section 7, chapter 108, Laws of 1959 and RCW 57.16.020; amending section 9, chapter 18, Laws of 1959 as amended by section 9, chapter 108, Laws of 1959 and RCW 57.16.040; amending section 11, chapter 114, Laws of 1929 as last amended by section 83, chapter 56, Laws of 1970 ex. sess. and RCW 57.20.010; amending section 16, chapter 251, Laws of 1953 and RCW 57.20.015; amending section 18, chapter 114, Laws of 1929 as last amended by section 4, chapter 25, Laws of 1951 2nd ex. sess. and RCW 57.20.100; amending section 2, chapter 129, Laws of 1893 as last amended by section 34, chapter 271, Laws of 1969 ex. sess. and RCW 58.08.040; amending section 82, chapter 250, Laws of 1907 and RCW 65.12.660; amending section 95, chapter 250, Laws of 1907 as amended by section 2, chapter 121, Laws of 1973 and RCW 65.12.790; amending section 23, chapter 6, Laws of 1947 and RCW 68.16.230; amending section 1, chapter 191, Laws of 1939 as last amended by section 6, chapter 47, Laws of 1970 ex. sess. and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 21, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.010; amending section 3, chapter 117, Laws of 1959 as last amended by section 24, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.090; amending

section 18, chapter 277, Laws of 1971 ex. sess. and RCW 70.33.040; amending section 11, chapter 277, Laws of 1971 ex. sess. as amended by section 1, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.070; amending section 6, chapter 264, Laws of 1945 as last amended by section 2, chapter 218, Laws of 1971 ex. sess. and RCW 70.44.060; amending section 15, chapter 238, Laws of 1967 as amended by section 7, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.091; amending section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 1, chapter 84, Laws of 1971 ex. sess. and RCW 71.20.110; amending section 7, page 210, Laws of 1888 as last amended by section 9, chapter 47, Laws of 1970 ex. sess. and RCW 73.08.080; amending section 2, chapter 105, Laws of 1917 as last amended by section 14, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.360; amending section 13, chapter 288, Laws of 1971 ex. sess. and RCW 84.04.140; amending section 84.28.090, chapter 15, Laws of 1961 as last amended by section 33, chapter 299, Laws of 1971 ex. sess. and RCW 84.28.090; amending section 5, chapter 294, Laws of 1971 ex. sess. as amended by section 4, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.050; amending section 6, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.060; amending section 8, chapter 294, Laws of 1971 ex. sess. as amended by section 2, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.080; amending section 12, chapter 294, Laws of 1971 ex. sess. as amended by section 5, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.120; amending section 14, chapter 294, Laws of 1971 ex. sess. as amended by section 6, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.140; amending section 4, chapter 243, Laws of 1971 ex. sess. and RCW 84.34.230; amending section 1, chapter 117, Laws of 1967 ex. sess. and RCW 84.36.270; amending section 84.40.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.030; amending section 84.40.040, chapter 15, Laws of 1961 as amended by section 36, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.040; amending section 84.40.320, chapter 15, Laws of 1961 and RCW 84.40.320; amending section 84.48.080, chapter 15, Laws of 1961 as amended by section 9, chapter 288, Laws of 1971 ex. sess. and RCW 84.48.080; amending section 8, chapter 288, Laws of 1971 ex. sess. and RCW 84.48.085; amending section 84.52.010, chapter 15, Laws of 1961 as last amended by section 6, chapter 243, Laws of 1971 ex. sess. and RCW 84.52.010; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 3, Laws of 1973 and RCW 84.52.052; amending section 84.52.054, chapter 15, Laws of 1961 and RCW 84.52.054; amending section 84.52.056, chapter 15, Laws of 1961 and RCW 84.52.056; amending section 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063; amending section 1, chapter 33, Laws of 1967 ex. sess. as last amended by section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065; amending section 2, chapter 174, Laws of 1965 ex. sess. as last amended by section 7, chapter 92, Laws of 1970 ex. sess. and RCW 84.54.020; amending section 22, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.030; amending section 23, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.040; amending section 24, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.050; amending section 84.56.180, chapter 15, Laws of 1961 as amended by section 5, chapter 124, Laws of 1969 ex. sess. and RCW 84.56.180; amending section 4, chapter 184, Laws of 1967 and RCW 85.15.030; amending section 7, chapter 184, Laws of 1967 and RCW 85.15.060; amending section 8, chapter 184, Laws of 1967 and RCW 85.15.070; amending section 15, chapter 184, Laws of 1967 and RCW 85.15.140; amending section 2, chapter 45, Laws of 1951 and RCW 85.18.010; amending section 4, chapter 45, Laws of 1951 and RCW 85.18.030; amending section 9, chapter 45, Laws of 1951 and RCW 85.18.080; amending section 16, chapter 45, Laws of 1951 and RCW 85.18.150; amending section 19, chapter 225, Laws of 1909 and RCW 85.24.250; amending section 4, chapter 131, Laws of 1961 and RCW 85.32.030; amending section 5, chapter 131, Laws of 1961 and RCW 85.32.040; amending section 6, chapter 131, Laws of 1961 and RCW 85.32.050; amending section 7, chapter 131, Laws of 1961 and RCW 85.32.060; amending section 11, chapter 131, Laws of 1961 and RCW 85.32.100; amending section 12, chapter 131, Laws of 1961 and RCW 85.32.110; amending section 13, chapter 131, Laws of 1961 and RCW 85.32.120; amending section 22, chapter 131, Laws of 1961 and RCW 85.32.210; amending section 4, chapter 154, Laws of 1967 and RCW 85.36.030; amending section 1, chapter 66, Laws of 1907 as amended by section 8, chapter 204, Laws of 1941 and RCW 86.12.010; amending section 1, chapter 54, Laws of 1913 and RCW



86.13.010; amending section 16, chapter 153, Laws of 1961 and RCW 86.15.160; amending section 8, chapter 226, Laws of 1961 and RCW 87.84.070; adding a new section to chapter 84.52 RCW; repealing section 7, chapter 152, Laws of 1919 and RCW 17.12.070; repealing section 6, chapter 140, Laws of 1921 and RCW 17.16.120; repealing section 28A.48.110, chapter 223, Laws of 1969 ex. sess., section 2, chapter 100, Laws of 1971 ex. sess., section 10, chapter 124, Laws of 1972 ex. sess. and RCW 28A.48.110; repealing section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061; repealing section 2, chapter 174, Laws of 1965 ex. sess., section 2, chapter 146, Laws of 1967 ex. sess., section 7, chapter 92, Laws of 1970 ex. sess. and RCW 84.54.020; repealing section 74.04.150, chapter 26, Laws of 1959, section 66, chapter 262, Laws of 1969 ex. sess., section 3, chapter 92, Laws of 1970 ex. sess., section 17, chapter 281, Laws of 1971 ex. sess. and RCW 74.04.150; declaring an emergency; and prescribing effective dates.”, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Donohue moved that the Senate refuse to concur in the House amendments to Engrossed Substitute Senate Bill No. 2346 and adhere to its position and ask the House to recede therefrom.

Debate ensued.

#### POINT OF INQUIRY

Senator Metcalf: “Would Senator Donohue yield to a question? What do the amendments do? Would you explain what the amendments do that you are asking us not to concur with?”

Senator Donohue: “Yes, Senator, this is something that we have discussed in both caucuses this morning. It is the millage bill that we passed out of the Senate about a month ago. It has returned. It is one inch thick. We have about forty-eight hours to go. We have many, many questions in regard to the amendments that the House put on. It has made very many great changes in the allocations of dollars to school districts. It has also reduced the property tax from one hundred percent to ninety percent, which cities and counties are very concerned about. It is a very broad new concept that the Ways and Means Committee and I think every member of this Senate needs to take a look at. It changes the millage to dollars per thousand. We in our caucus discussed the fact that there probably are some things in this particular bill that are good. However, at this late date we are not in a position to study this. There are substantial changes. There are many technical changes that will take a staff of attorneys to look at in the next twenty-four hours and so it is our position to adhere to the Senate bill and in so doing, this summer we can take a look at the House amendments and maybe in September by then we will have a chance to do something about it.”

Senator Metcalf: “I am sympathetic to some of the problems Senator Donohue mentions. I just would have one more question that maybe someone could answer. When is the effective date of this act under the amendment? Does it go into effect immediately or is it a delayed date for some of the millage changes and so forth?”

Senator Donohue: “July 1, Senator.”

The motion by Senator Donohue carried and the Senate adhered to its position and asks the House to recede from the House amendments to Engrossed Substitute Senate Bill No. 2346.

#### MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2803 with the following amendments:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

“*NEW SECTION.* Section 1. That a budget is hereby adopted for the superintendent of public instruction and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages and other expenses of the agencies and officers of the state and for other specified purposes for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION. Sec. 2. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (Including Board of Education)**

General Fund Appropriation: Office of the Superintendent of Public Instruction and Board of Education, including \$150,000 for the Pacific Science Center: *Provided*, That not more than \$7,919,225 shall be from state funds: *Provided*, That if and federal funds in excess of those estimated in this appropriation act are received or expended by the central office of the Superintendent of Public Instruction the Superintendent shall place an equal amount of state funds into reserve to be expended only with the approval of the Legislature: *Provided further*, That, if all or any portion of budgeted federal funds are not made available pursuant to the elementary and secondary education act (Title V USC) during fiscal year 1973-74, the Superintendent of Public Instruction is authorized to allocate and expend up to the anticipated amount not received but not to exceed \$712,000 from state general fund appropriations for transportation, URRD, and handicapped children education excess cost programs for state office administration during the 1973-74 fiscal year .....\$

10,815,579

General Fund Appropriation for General Apportionment: *Provided*, That the weighting schedule to be used in computing the apportionment of funds for each district for 1973-75 shall be based on the following factors: Each full time equivalent student enrolled — 1.0; each full time equivalent student; each full time equivalent student enrolled in vocational education in grades 9-12 when excess costs are documented for the class and where the class is approved by the state superintendent, an added —1.0; all identified culturally disadvantaged children receiving an approved program, an added —.1; the factor established by the Superintendent of Public Instruction for use in the 1973-75 biennium designed to reimburse each district for costs resulting from staff education and experience greater than the minimum in the average salary schedule in use by Washington school districts shall be used; for school districts enrolling fewer than 250 students in grades 9-12, for nonhigh districts judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, and for small school plants which are judged remote and necessary within school districts by the state board of education shall be in accordance with the weighting factors used during the 1972-73 school year: *Provided*, That all school districts judged remote and necessary for school apportionment purposes during the 1972-73 school year shall be considered remote and necessary for school apportionment purposes throughout the 1973-75 biennium unless their enrollment exceeds 250 students in grades 9-12 or for nonhigh districts unless their enrollment exceeds 100 students: *Provided*, That a school district formed after July 1, 1971 and which formerly consisted of one or more school districts qualifying during the preceding school year for additional weighting under the “remote and necessary” provision or “fewer than 250 students in grades 9-12” provision shall receive for a period of four years following consolidation such additional weighting as accrued to the qualifying district or districts for the school year preceding consolidation; full time equivalent students residing on tax exempt property (chapter 130, Laws of 1969), and added — .25; full time equivalent students in an approved interdistrict cooperative program (chapter 130, Laws of 1969), an

added — .25: *Provided further*, That not to exceed \$400,000 is included for use by the Superintendent for school district emergencies: *Provided*, That not to exceed \$14,703,380 is included for the five vocational-technical institutes: *Provided*, That not to exceed \$411,754 is included for adult education in vocational-technical institutes: *Provided*, That no portion of these funds shall be allocated to a school district which expends or anticipates expending moneys in excess of their certified budget or budget extensions thereto as filed with the office of the Superintendent of Public Instruction and Board of Education: *Provided*, That a subsequent special or regular session of the Legislature may modify the appropriation as a result of economic or demographic changes which affect the total number of students to be served or the availability of local finances: *Provided*, That for purposes of distributing general fund appropriations for apportionment, through the school equalization formula, the amount of adjusted local property tax revenues computed for any school district shall not exceed the amount of the revenues that would be produced using the indicated ratio used by the district in the previous year by more than five percent. ....\$ 463,918,054

General Fund Appropriation: *Provided*, That up to \$248,422,000 shall be available in addition to the general fund appropriation for general apportionment through the equalization formula as established by section 2 of this act if sufficient revenue is generated by the implementation of Chapter ... Laws of 1973, 1st Ex. Sess. (ESB 2346) ....\$ 248,422,000

Federal Revenue Sharing Trust Fund Appropriation for General Apportionment ....\$ 105,532,078

General Fund Appropriation for state matching of federal food service funds, as required by P.L. 91-248 and for continuation of salary increases granted from state funds during 1969-71 ....\$ 3,412,808

General Fund Appropriation for state contribution to participating school districts to fund employee health benefits: *Provided*, That these funds shall be distributed to those participating districts on an equal amount per staff full-time equivalent ....\$ 12,321,880

General Fund Appropriation of two mills of property tax to be distributed in accordance with RCW 28A.48 ....\$ 40,482,000

General Fund Appropriation of state forest funds to be distributed ....\$ 1,610,000

General Fund Appropriation for allocation to Intermediate school districts..\$ 1,901,360

General Fund Appropriation for supplementary education and cultural enrichment ....\$ 1,000,000

General Fund Appropriation for state institutional education program: *Provided*, That not more than \$5,701,178 shall be from state funds. ....\$ 9,169,898

General Fund Appropriation for Handicapped Children—Excess Costs: *Provided*, That not more than \$62,869,753 shall be from state funds: *Provided*, That there shall be appointed a nine member commission to review the handicapped education program, three members to be chosen by the governor and six members by the superintendent of public instruction: *Provided*, That the commission shall submit its findings and recommendations, including an evaluation of the adequacy of funds for handicapped children education excess costs for 1974-75, to the governor and the legislature prior to January 1, 1974: *Provided further*, That the superintendent of public instruction shall not make tentative obligations of more than fifty percent of this appropriation until the commission submits its report ....\$ 64,756,137

General Fund Appropriation for Urban, Racial, Rural and Disadvantaged educational programs ....\$ 9,247,800

General Fund Appropriation of Mobile Home Excise Tax to be distributed to local school districts in accordance with chapter 82.50 RCW ....\$ 3,771,000

General Fund Appropriation for Career education and occupational exploration projects ....\$ 250,000

General Fund Appropriation for the Cerebral Palsy Center ....\$ 408,940

General Fund Appropriation for the Cerebral Palsy Center: *Provided*, That this appropriation shall be used for development and implementation of field services to expand the Center's program to off site locations ....\$ 25,000

General Fund Appropriation for the encumbrance of federal grants: <i>Provided</i> , That any expenditures from this appropriation shall be from federal funds .....	\$ 10,486,940
General Fund Appropriation:	
Elementary and Secondary Education Act of 1965 .....	\$ 39,367,500
To carry out the provisions of Public Law 85-864 (National Defense Education Act of 1958) .....	\$ 1,500,000
Education of Indian children .....	\$ 2,000,000
Adult Basic Education .....	\$ 1,230,000
School Food Services Programs: <i>Provided</i> , That not more than \$934,967 shall be from state funds .....	\$ 27,699,626
General Fund Appropriation for Assistance to Blind Students (RCW 28B.10.215) .....	\$ 5,000
General Fund Appropriation for Environmental Education .....	\$ 536,277
General Fund Appropriation for gifted program .....	\$ 330,000
General Fund Appropriation for state grants to needy and disadvantaged students: <i>Provided</i> , That these funds shall be used by the Superintendent of Public Instruction for individual grants to needy and disadvantaged elementary and secondary pupils attending public and private schools approved by the state board of education who demonstrate a financial inability to meet the total cost of supplies, books, tuition, incidental and other fees for any school term, or who because of adverse cultural, educational, environmental or other circumstances, are deemed as being highly improbable of continuing in the schools in which such pupils are enrolled and that such financial assistance, after other scholarships, grants and assistance are deducted, shall not exceed three hundred dollars per secondary pupil (grades 9-12) and one hundred dollars per elementary pupil (grades 1-8) .....	\$ 750,000
General Fund—Traffic Safety Education Account Appropriation, of which \$602,936 is for administration .....	\$ 8,825,936

**NEW SECTION.** Sec. 3. The Superintendent of Public Instruction shall receive or expend no federal funds in excess of those approved in this act unless an equal amount of state dollars are placed in reserve status to be expended only with the approval of the Legislature.

**NEW SECTION.** Sec. 4. The words "superintendent of public instruction" used herein means and includes every institution, whether educational, correctional, or other, and division, board and commission, except as otherwise provided in this act.

**NEW SECTION.** Sec. 5. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all of any portion of the funds herein appropriated or included in this budget, to the superintendent for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. (a) When necessary to limit total state expenditures to available revenues as required by RCW 43.88.110(2); (b) When the superintendent proposes the expenditure of a resource not disclosed in the budget request submitted to the Governor and Legislature: PROVIDED, HOWEVER, That the aggregate of allotments for the superintendent shall not exceed the total of applicable appropriations and local funds available to the superintendent. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1973; for the sole

purpose of authorizing the superintendent to order goods, supplies, or services for delivery after July 1, 1973: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1973.

*NEW SECTION.* Sec. 6. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or in the appropriations enacted by the Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

*NEW SECTION.* Sec. 7. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 5. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

*NEW SECTION.* Sec. 8. The superintendent is authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

*NEW SECTION.* Sec. 9. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

*NEW SECTION.* Sec. 10. Amounts received by the superintendent as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

*NEW SECTION.* Sec. 11. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act the superintendent may not purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

*NEW SECTION.* Sec. 12. All contract personal services contracts except those for medical and health care and such other contracts which the director of the office of program planning and fiscal management may exempt after consultation with the Legislative Budget Committee shall be filed with the office of program planning and fiscal management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this act.

*NEW SECTION.* Sec. 13. Within the rules and regulations of the Department of Personnel, as applicable, in the filling of vacant positions and in the filling of new positions of employment in state government, preference shall be given, where necessary, to nonwhite and Mexican-American applicants in order to attain the same minority employment ratio in each agency as obtains in the population of the state at large.

*NEW SECTION.* Sec. 14. The superintendent is hereby authorized and directed to pay his share of the 1971-73 unemployment compensation costs in accordance with section 19,

chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 operation appropriations. The director of the office of program planning and fiscal management may require the superintendent to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

*NEW SECTION.* Sec. 15. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*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: PROVIDED, That provisions of this appropriations pact shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Donohue, the Senate refused to concur in the House amendment to Engrossed Senate Bill No. 2803 and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2803 and the House amendment thereto: Senators Odegaard, Atwood and Donohue.

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 782, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:  
 HOUSE BILL NO. 127,  
 HOUSE BILL NO. 483,  
 HOUSE BILL NO. 552,  
 HOUSE BILL NO. 576,  
 HOUSE BILL NO. 595,  
 HOUSE BILL NO. 782,  
 HOUSE BILL NO. 821,  
 HOUSE BILL NO. 827,  
 SUBSTITUTE HOUSE BILL NO. 944,  
 HOUSE BILL NO. 1019,  
 HOUSE JOINT RESOLUTION NO. 40.

#### MOTION

At 12:35 p.m., on motion of Senator Mardesich, the Senate recessed until 3:00 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 3:00 p.m.

## SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, by Committee on Commerce (originally sponsored by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher):

Relating to gambling.

The time having arrived, the Senate resumed consideration of Engrossed Substitute House Bill No. 711 and the pending amendment by Senators Francis, as amended, and the amendment by Senator Walgren, as amended, on Thursday, April 12, 1973.

Senator Atwood moved adoption of the following amendment by Senators Atwood, Lewis (Harry), Bailey and Bottiger to the amendment by Senator Francis:

On page 3, section 2, line 2 of the amendment, after "town" insert "may prohibit but" and after "any" strike "activity" and insert "one, several, or all of the activities".

Debate ensued.

## POINT OF INQUIRY

Senator Canfield: "I would like to ask Senator Atwood a question if I may. Senator, as you know I am in favor of this amendment but this says insert one, several or all. How about two?"

Senator Atwood: "They could do two."

Senator Canfield: "Well, two is not one and it is not several."

Senator Atwood: "It could be, several is more than one."

Senator Canfield: "Mr. President, I looked it up in the dictionary and the dictionary does not say that. At any rate, I want the intent to be that it could be one or two or several or all. Is that correct?"

Senator Atwood: "Mr. President, the intent is one or more."

## POINT OF INQUIRY

Senator Knoblauch: "Would Senator Atwood yield? Senator Atwood, is not this what you would call local option again?"

Senator Atwood: "It is only local veto. It is not local option. The amendment allows the legislative authority to outlaw or ban any or all of those activities within its jurisdiction. That is all. It cannot regulate them in any other way. We have several communities around the state in which they do not even have Class H establishments because the town fathers keep the Liquor Board from issuing licenses. This gives the legislative authorities in those jurisdictions that do not want to have card rooms the right to prohibit them. The King County and your prosecutor, Mr. Hendry, testified that they very much desire this right. The ad hoc committee on gambling recommended this type of a veto. And it is a veto and if you want to call it option, they do have the option of vetoing and that is it."

Senator Knoblauch: "Senator, I would say indirectly that this is local option."

## POINT OF INQUIRY

Senator Van Hollebeke: "Will Senator Atwood yield? Senator Atwood, have you discussed this with the Governor? There are some who are reluctant to vote on anything not knowing what he is going to do in the way of a line item veto. With local option, has he given you any assurance that he will not veto the bill?"

Senator Atwood: "I have not talked to the Governor about this. It is not my bill. I would suspect that maybe somebody else has but I can say this, that if the bill gets through here without it I have a hunch there might be some vetoes. I just do not know, Senator. I think somebody may have talked to him about it. I thought maybe somebody in our caucus has, but I have not and I cannot give you any assurance on what he will or will not do."

## PERSONAL PRIVILEGE

Senator Lewis (Harry): "I have been asked by a number of Senators what the Governor intends to do. The Governor is out of town now or I would call him, but I would just like to say that there is no intent on my part to ask the Governor to veto any portion of this legislation. I will go down and ask him not to do that. Whether he listens to me or not is something else. And gentlemen, I want to remind you that for six consecutive sessions I have sponsored an item veto bill which has passed the house in which I am a member and so I think that expresses my feelings on that issue.

"Secondly, in all fairness to the Governor, I think we should all recognize the traditional three parts of our governmental system and his right to reserve decisions for the executive that must lie in his office and I respect that right of his. On the other hand, I do feel very strongly that this body has worked extensively and for a long period of time to try to develop this legislation which I believe the people asked for. This amendment, I believe, will make it palatable and make it possible to pass it. And on that basis I will go down personally and ask him and describe to him the situation, the number of requests, the concerns of the members of the Senate, and ask him not to veto any portion of this bill on that basis."

## POINT OF INQUIRY

Senator Woodall: "Will Senator Lewis yield? Did you go down and talk to him before he butchered up the last one?"

Senator Lewis (Harry): "No."

Senator Knoblauch demanded a roll call and the demand was sustained by Senators Ridder, Bottiger, Woody, Washington, Stortini, Van Hollebeke, Twigg, Atwood and Lewis (Bob).

## ROLL CALL

The Secretary called the roll and the amendment by Senators Atwood, Lewis (Harry), Bailey and Bottiger to the amendment by Senator Francis was adopted by the following vote: Yeas, 39; nays, 7; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—39.

Voting nay: Senators Fleming, Grant, Guess, Knoblauch, Mardesich, Sandison, Woodall—7.

Absent or not voting: Senators Durkan, Francis, Matson—3.

The Senate resumed consideration of the amendment by Senator Walgren, as amended by Senator Mardesich, on Thursday, April 12, 1973, which would strike the amendment by Senator Francis, as amended.

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Washington yield? Would you please read what the opponents said this bill would make it possible to do?"

Senator Washington: "The opponents indicated that it would bring back . . ."

Senator Woodall: "Just read it. Read what the opponents said."

Senator Washington: "SJR creates a big problem in an attempt to solve little ones. Here is why. No other state legislature is given the constitutional power that SJR No. 5 proposes. Most states' Constitutions prohibit their legislatures from authorizing lotteries. A small number of Constitutions give their legislatures regulatory powers over specific types of social gambling and pari-mutuel betting. SJR No. 5 does not guarantee that citizens will



have an opportunity to vote on gambling issues. Passing SJR No. 5 in order to legalize church bingo is a classic case of overkill. Many citizens favor legalizing limited social gambling for nonprofit organizations. SJR No. 5 proposes that the legislature be given limitless powers to authorize any other types of gambling. If gambling is to be legalized, voters should pass judgment on specific proposals, not open-ended legislation. SJR No. 5 will open the door to professional gamblers and organized crime. Whenever gambling activity exists legally or illegally, professional gamblers and organized crime become involved. Legalized gambling is the equivalent of legalizing organized crime. To authorize the legislature to legalize gambling would be to invite professional gamblers and organized crime to participate openly in the legislative process.' Do you want me to read the rest of it?"

Senator Woodall: "That is enough."

Senator Washington demanded a roll call and the demand was sustained by Senators Mardesich, Greive, Stortini, Van Hollebeke, Jones, Ridder, Lewis (Bob), Connor and Woody.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Walgren, as amended, to the amendment by Senator Francis, as amended, was not adopted by the following vote: Yeas, 18; nays, 30; absent or not voting, 1.

Voting yea: Senators Donohue, Dore, Durkan, Gardner, Greive, Jolly, Jones, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Peterson (Ted), Sellar, Walgren, Washington, Whetzel—18.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Fleming, Francis, Grant, Guess, Henry, Herr, Knoblauch, Lewis (Harry), Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Woodall, Woody—30.

Absent or not voting: Senator Keefe—1.

The motion by Senator Francis on Thursday, April 12, 1973, was carried and the amendment by Senator Francis, as amended, was adopted.

On motion of Senator Mardesich, the amendment to the title by Senator Francis was adopted.

On motion of Senator Mardesich, Engrossed Substitute House Bill No. 711, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 711, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 13.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Woody—36.

Voting nay: Senators Day, Dore, Durkan, Greive, Guess, Knoblauch, Lewis (Bob), Mardesich, Murray, Peterson (Ted), Washington, Whetzel, Woodall—13.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, 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.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, with the following amendments:

In line 15 of the title of the engrossed and printed bills, after "RCW 41.05.080;" insert "amending section .24.01, chapter 79, Laws of 1947 and RCW 48.24.010; amending section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010;"

In line 17 of the title of the engrossed and printed bills, after "41.06.370;" strike the remainder of the title and the amendment by Senator Day, and insert "creating new sections; and making an appropriation."

On page 3, section 1, beginning on line 6 of the engrossed and printed bills, after "contracts" strike all the matter down to and including "basis of" on line 8 and insert "for insurance, health care plans or protection applying to employees covered by this 1973 amendatory act shall provide that the beneficiaries of such insurance, health care plans or protection may utilize on an equal participation basis".

On page 3, section 1, line 10 of the engrossed and printed bills, after "18.71," strike "and" and insert "18.74," and after "18.83" insert ", and 18.88".

On page 4, section 2, line 17 of the engrossed bill, being line 24 of the printed bill, after "expenses" strike "other than staffing" and insert "[other than staffing]".

On page 9, section 7, line 11 of the engrossed bill, being line 17 of the printed bill, after "board:" strike "EXCEPT," and insert "[EXCEPT,] PROVIDED, That the rates charged such retired or disabled state employees for health care coverage shall be identical to that charged active participants: PROVIDED FURTHER,".

On page 9, section 7, line 13 of the engrossed bill, being line 19 of the printed bill, following the period after "coverage" insert "The term "retired state employees" for the purpose of this section shall include but not be limited to members of the legislature whether voluntarily or involuntarily leaving state office."

On page 9, following section 10 of the engrossed bill, being the new section added by Senator Durkan's amendment, add new sections as follows:

"Sec. 11. Section .24.01, chapter 79, Laws of 1947 and RCW 48.24.010 are each amended to read as follows:

(1) No contract of life insurance shall hereafter be delivered or issued for delivery in this state insuring the lives of more than one individual unless to one of the groups as provided for in this chapter, and unless in compliance with the other provisions of this chapter.

(2) Subsection (1) of this section shall not apply to contracts of life insurance

(a) insuring only individuals related by marriage, by blood, or by legal adoption; or

(b) insuring only individuals having a common interest through ownership of a business enterprise, or of a substantial legal interest or equity therein, and who are actively engaged in the management thereof; or

(c) insuring the lives of employees and retirees under contracts executed with the state employees insurance board under the provisions of chapter 41.05 RCW.

Sec. 12. Section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, words used in this chapter have the following meaning:

(1) "Board" means the state employees' insurance board established under the provisions of RCW 41.05.020.

(2) "Employee" shall include all full time and career seasonal employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full time members of boards, commissions or committees; and shall include any or all part time and temporary employees under the terms and conditions established by the board; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the legislature who are elected to office after February 20, 1970.

(3) "Panel medicine plan" means a health care plan which can be offered by a health

care service contractor which itself furnishes the health care service contracted for by means of a group practice prepaid medical care plan.

(4) "Trustee" shall mean the director of personnel.

**NEW SECTION.** Sec. 13. Nothing contained in this 1973 amendatory act shall be deemed to amend, alter or affect the provisions of chapter 23, Laws of 1972, extraordinary session, and RCW 28B.10.840 through 28B.10.844 as now or hereafter amended.

**NEW SECTION.** Sec. 14. There is appropriated from the state employees insurance revolving fund to the state employees' insurance board the sum of one hundred thousand dollars, or so much thereof as may be necessary, to supplement other funds related to health care coverage and to provide the necessary start and studies attendant to the investigation and review of other insurance plans for state employees," and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Day, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2066.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2066, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Matson, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—33.

Voting nay: Senators Clarke, Guess, Jones, Lewis (Bob), Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—15.

Absent or not voting: Senator Lewis (Harry)—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2270,

ENGROSSED SENATE BILL NO. 2513, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2088, with the following amendments:

On page 3, section 1, line 7, after "(1)" and before "analysis" on line 8, strike "*The shaping or dressing of the hair: (2) styling and designing of the beard or mustache; (3) hair*" and insert "hair".

Renumber the remaining subsections consecutively.

On page 12, section 9, line 26, after "than" strike "[one-thousand two hundred forty-eight] *two thousand*" and insert "one thousand two hundred forty-eight".

On page 12, section 9, line 28, after "than" strike "[eight] *twelve*" and insert "eight".

On page 12, section 9, line 29, strike “[sixteen] *twenty-four*” and insert “sixteen”.

On page 13, section 9, line 9, after “barbering” insert a period and strike all material down to and including “*hair.*” on line 12.

On page 16, section 16, line 3, after “than” strike “incident to original” and insert “[incident] *incidental* to [original]”.

On page 23, section 27, in line 11, after “*than*” and before “*dollars*” strike “*two*” and insert “*five*”, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Peterson (Ted), the Senate concurred in the House amendments to Engrossed Senate Bill No. 2088.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2088, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Mattingly, Ridder—2.

Absent or not voting: Senators Connor, Fleming, Lewis (Harry), Murray—4.

ENGROSSED SENATE BILL NO. 2088, 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 HOUSE

April 12, 1973.

Mr. President: The House has passed REENGROSSED SENATE BILL NO. 2183, with the following amendments:

On page 3, section 5, line 24 after “administer” and before “the” insert “at least twice annually”.

On page 5, section 8, line 5 after “PROVIDED,” insert “That the department is authorized to enter into reciprocal agreements with other states providing for the acceptance of such states journeyman certificate of competency or its equivalent when such states requirements are equal to the standards set by this act: AND PROVIDED FURTHER,” and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Grant, the Senate concurred in the House amendments to Reengrossed Senate Bill No. 2183.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 2183, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 31; nays, 14; absent or not voting, 4.

Voting yea: Senators Bailey, Bottiger, Canfield, Day, Donohue, Dore, Francis,

Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Mattingly, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Woody—31.

Voting nay: Senators Atwood, Clarke, Fleming, Guess, Lewis (Bob), Metcalf, Newschwander, Scott, Sellar, Twigg, Wanamaker, Washington, Whetzel, Woodall—14.

Absent or not voting: Senators Connor, Durkan, Murray, Odegaard—4.

REENGROSSED SENATE BILL NO. 2183, 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.

President Pro Tempore Henry assumed the Chair.

#### MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, with the following amendments:

On page 1, section 1, line 17 of both the printed and engrossed bills, strike “[two] four” and insert “two”.

On page 1, section 1, line 19 of the engrossed bill, being line 3 of the Senate amendment by Senator Day, after “*purchased*” insert “*under the provisions of RCW 46.44.095*”.

On page 2, section 1, line 16 of the engrossed bill, being line 14 of the printed bill, strike “*forty-two*” and insert “*forty*”, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Woodall, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2250.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2250, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senators Bottiger, Ridder, Whetzel—3.

Absent or not voting: Senators Connor, Donohue, Durkan—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, 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 HOUSE

April 12, 1973.

Mr. President: The House has passed SENATE BILL NO. 2337, with the following amendments:

On page 1, section 1, line 8, strike “\$39,344,319” and insert “\$39,481,684”.

On page 2, beginning on line 14, insert new sections as follows:

*NEW SECTION.* Sec. 4. Notwithstanding the provisions of chapter 144, Laws of 1973, expenditures by state agencies from unanticipated receipts deposited in the contingency receipts fund may be made for obligations incurred prior to June 30, 1973.

*NEW SECTION.* Sec. 5. Agencies are hereby authorized and directed to pay their share of the 1971-73 unemployment compensation costs in accordance with section 19, chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 appropriations. The director of the office of program planning and fiscal management may require agencies to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

*NEW SECTION.* Sec. 6. If any provisions of this act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Renumber remaining sections., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Walgren, the Senate concurred in the House amendments to Senate Bill No. 2337.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2337, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—43.

Voting nay: Senators Atwood, Day, Whetzel—3.

Absent or not voting: Senators Connor, Durkan, Lewis (Harry)—3.

SENATE BILL NO. 2337, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Mardesich, all messages were ordered immediately transmitted to the House that have been considered by the Senate today.

#### MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 590, except the Senate amendments to page 2, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendments to House Bill No. 590, and asks the House for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 590 and the Senate amendments thereto: Senators Lewis (Harry), Keefe and Peterson (Lowell).

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 720, except the amendment to page 8, adding a new section following section 9, and asks the Senate to recede therefrom, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Mardesich, the Senate receded in the Senate amendment to page 8 of Engrossed House Bill No. 720.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 720, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guëss, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Metcalf—1.

Absent or not voting: Senators Durkan, Lewis (Harry)—2.

ENGROSSED HOUSE BILL NO. 720, 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 HOUSE

April 12, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, except the following amendments:

On page 1, line 2 of the title, after "crimes;" strike "and" and after "penalties" and before the period insert "; and setting an effective date".

On page 3, line 11, after "affected," add a new section as follows:

"NEW SECTION. Sec. 11. This act shall be effective one year from the date of its enactment by the legislature: PROVIDED, That any article which will come within the provisions of this act shall carry the following label as of July 14, 1973:

"WARNING: This garment does not comply with federal or Washington state standards for the flammability of children's sleepwear."

Further, this label shall be clearly visible and brought to the attention of any prospective purchaser."

Re-number remaining section.

On page 3, line 12, after "through" strike "8" and insert "11", and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendments to Engrossed Substitute House Bill No. 993 and asks the House for a conference thereon.

#### INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 901, by Representative Martinis:

Relating to food fish and shellfish.

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 901 was advanced to second reading and read the second time in full.

Senator Marsh moved adoption of the following amendment by Senators Marsh and Henry:

On page 3, following section 2, add new sections as follows:

"*NEW SECTION.* Sec. 3. As used in this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Gill net" or "drift net" gear means a net of single web construction, not anchored, tied, staked, placed, or weighted in such a manner that it cannot drift.

(2) "Trammel net" means a net that is hung with two or more mesh webs substantially parallel to each other, suspended from a single common cork line and having either one or several lead lines.

(3) "Columbia river" means all the waters of the Columbia river, including sloughs tributary thereto, commencing at the mouth of the river upstream to the Bonneville dam. Mouth of the river shall mean a line projected from the inshore end of the north jetty to the knuckle of the south jetty at the entrance to the river.

*NEW SECTION.* Sec. 4. On and after the effective date of this chapter it shall be unlawful, during the period beginning at 12:01 A.M. February 1st through midnight May 31st of each year, to take Chinook salmon or steelhead trout from the waters of the Columbia river by the use of gill nets or trammel nets.

Any person who violates this section, or who aids or abets or assists in a violation of this section shall be guilty of a gross misdemeanor, 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.

*NEW SECTION.* Sec. 5. Every game protector, deputy game protector, fisheries inspector, deputy fisheries inspector, sheriff, constable, marshal, and police officer within his respective jurisdiction, shall enforce this chapter and all rules and regulations adopted by the game commission to carry out the purposes of this chapter, and the police officers specified, and United States game wardens, any forest officer appointed by the United States government, state forest wardens and rangers, and each of them, by virtue of their election or appointment, are constituted ex officio deputy game protectors within their respective jurisdictions.

*NEW SECTION.* Sec. 6. This chapter shall take effect upon the enactment of a law by the state of Oregon which is similar in purpose and scope.

*NEW SECTION.* Sec. 7. Sections 3 through 5 of this act shall constitute a new chapter in Title 75 RCW."

#### POINT OF ORDER

Senator Peterson (Lowell): "Mr. President, I would like to call attention of the



President to the scope and object of the amendment referring to specifically section 5 which says that every game protector, deputy game protector and deputy fisheries inspectors etc. refers to this. 901 pertains solely to a fisheries measure in the Puget Sound area and I would think that a Columbia River bill is not within the scope of Substitute House Bill No. 901."

#### RULING BY THE PRESIDENT

The President: "The President believes that the point of order presented by Senator Lowell Peterson is well taken because House Bill No. 901 is a measure regulating the fishing dates and seasons in the Puget Sound area whereas the amendment proposed by Senators Marsh and Henry makes it a criminal offense to fish with either gill nets or trammel nets for salmon or steelhead in the Columbia River. The amendment does therefore increase the scope and object of the bill and the point of order as presented by Senator Peterson is well taken."

The amendment by Senators Marsh and Henry was ruled out of order.

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 901 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

Senator Marsh moved that further consideration of Engrossed House Bill No. 901 be postponed until Saturday, April 14, 1973.

Debate ensued.

The motion by Senator Marsh failed on a rising vote.

#### MOTION

On motion of Senator Metcalf, Engrossed House Bill No. 901 was returned to second reading.

Senator Metcalf moved adoption of the following amendment:

On page 3, line 5, strike "shall" and insert "may".

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Metcalf yield? Senator Metcalf, as I read it, it says 'the director may' was stricken, and 'shall maneuver' inserted. Tell me what you think the significance is between 'may' and 'shall' because it allows him or directs him to maneuver the gear that is necessary to harvest the surplus stock. What is the purpose of your amendment?"

Senator Metcalf: "The purpose of my amendment is to allow the director the discretion of moving in the gear to harvest a particular run. If the word 'shall' is there, there is some question as to whether or not the pure management concept will be followed. And I think the word 'may' gives the director the clear management responsibility and I am afraid that 'shall' might dilute that somewhat."

Further debate ensued.

The motion of Senator Metcalf failed and the amendment was not adopted on a rising vote.

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 901 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 901, and the bill passed the Senate by the following vote: Yeas, 30; nays, 16; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Stortini, Talley, Twig, Van Hollebeke, Walgren, Washington, Woody—30.

Voting nay: Senators Clarke, Jones, Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Rasmussen, Ridder, Sandison, Scott, Sellar, Wanamaker, Whetzel—16.

Absent or not voting: Senators Henry, Lewis (Harry), Woodall—3.

ENGROSSED HOUSE BILL NO. 901, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 704, by Representatives Bluechel, Perry and Kopet (by Executive request):

Planning and funding of capitol office facilities.

On motion of Senator Mardesich, Engrossed House Bill No. 704 was advanced to second reading and read the second time in full.

Senator Rasmussen moved adoption of the following amendment:

On page 1, line 1, after "government;" strike the balance of the bill and insert:

"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 declaring an emergency.

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

*NEW SECTION.* Section 1. For the purpose of acquiring land, funding and providing the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment, and facilities, of capitol office buildings, parking facilities, governor's mansion, and such other buildings and facilities as are determined by the state capitol committee to be necessary to provide space for the legislature by way of offices, committee rooms, hearing rooms, and work rooms, and to provide executive office and housing for the governor, and to provide executive office space for other elective officials and such other state agencies as may be necessary, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of twenty-seven million dollars, or so much thereof as may be required, to finance the projects defined in this 1973 act and all costs incidental thereto. Such bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

*NEW SECTION.* Sec. 2. The issuance, sale and retirement of said bonds shall be under the supervision and control of the state finance committee. The committee is authorized to prescribe the form, terms, conditions, and covenants of the bonds, the time or times of sale of all or any portion of them, and the conditions and manner of their sale, issuance and redemption. None of the bonds herein authorized shall be sold for less than the par value thereof.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and notes, if any. Such bonds shall be payable at such places as the committee may provide.

*NEW SECTION.* Sec. 3. At the time the state finance committee determines to issue such bonds or a portion thereof, it may, pending the issuing of such bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "anticipation notes". Such portion of the proceeds of the sale of such bonds that may be required for such purpose shall be applied to the payment of the principal of and interest on such anticipation notes which have been issued. The proceeds from the sale of bonds authorized by this 1973 act shall be deposited in the state building construction account of the general fund in the state treasury and shall

be used exclusively for the purposes specified in this 1973 act and for the payment of expenses incurred in the issuance and sale of the bonds.

*NEW SECTION.* Sec. 4. The principal proceeds from the sale of the bonds or notes deposited in the state building construction account of the general fund shall be administered by the state department of general administration subject to the approval of the state capitol committee.

*NEW SECTION.* Sec. 5. The state building bond redemption fund is hereby created in the state treasury, which fund shall be exclusively devoted to the payment of the principal of and interest on the bonds authorized by this 1973 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 such bond retirement and interest requirements and on July 1st of each year the state treasurer shall deposit such amount in the state building bond redemption fund from any general state revenues received in the state treasury and certified by the state treasurer to be general state revenues. Bonds issued under the provisions of this 1973 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 such 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 a mandamus or other appropriate proceeding require the transfer and payment of funds as directed herein.

*NEW SECTION.* Sec. 6. In addition to any other charges authorized by law and to assist in reimbursing the state general fund for expenditures from the general state revenues in paying the principal and interest on the bonds and notes herein authorized, the director of general administration shall assess a charge against each state board, commission, agency, office, department, activity, or other occupant or user for payment of a proportion of costs for each square foot of floor space assigned to or occupied by it. Payment of the amount so billed to the entity for such occupancy shall be made annually and in advance at the beginning of each fiscal year. The director of general administration shall cause the same to be deposited in the state treasury to the credit of the general fund.

*NEW SECTION.* Sec. 7. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized herein, and this 1973 act shall not be deemed to provide an exclusive method for such payment.

*NEW SECTION.* Sec. 8. The bonds herein authorized 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. 9. If any provision of this 1973 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. 10. This 1973 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Rasmussen yield? The capital budget as it now sits has already got these items in it."

Senator Rasmussen: "That is my understanding. This is why the part of the amendment is taking out the appropriation because it was handled in the capital budget."

Senator Atwood: "All right. Just so that everyone understands . . ."

Senator Rasmussen: "It is not new."

Senator Atwood: "That is right."

Senator Rasmussen: "It has already been appropriated. This merely provides for the issuance of the bonds."

The motion by Senator Rasmussen carried and the amendment was adopted.

On motion of Senator Rasmussen, Engrossed House Bill No. 704, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 704, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 2.

Voting yea: Senators Bailey, Day, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woody—29.

Voting nay: Senators Atwood, Bottiger, Canfield, Clarke, Gardner, Guess, Jolly, Jones, Lewis (Bob), Matson, Mattingly, Murray, Newschwander, Scott, Sellar, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senators Connor, Peterson (Ted)—2.

ENGROSSED HOUSE BILL NO. 704, as amended by the Senate, having failed to receive the constitutional two-thirds majority, was declared lost.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute House Bill No. 993 and the Senate amendments thereto: Senators Woody, Jones and Greive.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2935, by Senator Henry:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; adding a new chapter to chapter 15, Laws of 1961 and to Title 84 RCW; adding a new section to chapter 84.52 RCW; creating new sections; repealing section 82.04.220, chapter 15, Laws of 1961 and RCW 82.04.220; repealing section 82.04.230, chapter 15, Laws of 1961, section 7, chapter 149, Laws of 1967 ex. sess., section 33, chapter 262, Laws of 1969 ex. sess., section 2, chapter 281, Laws of 1961 ex. sess. and RCW 82.04.230; repealing section 82.04.240, chapter 15, Laws of 1961, section 5, chapter 173, Laws of 1965 ex. sess., section 8, chapter 149, Laws of 1967 ex. sess., section 34, chapter 262, Laws of 1969 ex. sess., section 3, chapter 281; Laws of 1971 ex. sess. and RCW 82.04.240; repealing section 82.04.250, chapter 15, Laws of 1961, section 9, chapter 149, Laws of 1967 ex. sess., section 35, chapter 262, Laws of 1969 ex. sess., section 2, chapter 186, Laws of 1971 ex. sess., section 4, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.250; repealing section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; repealing section 82.04.260, chapter 15, Laws of 1961; section 6, chapter 173, Laws of 1965 ex. sess., section 10, chapter 149, Laws of 1967 ex. sess., section 36, chapter 262, Laws of 1969 ex. sess., section 3, chapter 186, Laws of 1971 ex. sess., section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; repealing section 82.04.270, chapter 15, Laws of 1961, section 11, chapter 149, Laws of 1967 ex. sess., section 37, chapter 262, Laws of 1969 ex. sess., section 4, chapter 186, Laws of 1971 ex. sess., section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270; repealing section 82.04.275, chapter 15, Laws of 1961, section 12, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.275; repealing section 2, chapter 8, Laws of 1970 ex. sess., section 7, chapter 281, Laws of 1971 ex. sess., section 5, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.280; repealing section 82.04.290, chapter 15, Laws of 1961, section 2, chapter 28, Laws of 1963 ex. sess., section 14, chapter 149, Laws of 1967 ex. sess., section 39, chapter 262, Laws of 1969 ex. sess., section 4,

chapter 65, Laws of 1970 ex. sess., section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290; and declaring an emergency.

Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, by Committee on State Government (originally sponsored by Representative Perry):

Implementing laws related to a Neighbors in Need, Washington program.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 1054, by Representatives Berentson, Van Dyk, Hansey and Goltz (by Executive request):

Setting forth state economic impact act seeking to offset economic consequences of closing state institutions and services.

Referred to Committee on Ways and Means.

There being no objection, the Senate advanced to the eighth order of business.

#### MOTION

Senator Day moved that the Committee on Ways and Means be relieved of further consideration of Engrossed House Bill No. 946 and the bill be placed on the second reading calendar for today.

Debate ensued.

#### POINT OF INQUIRY

Senator Ridder: "Senator Day, would you yield? I notice that there is a pink Senate committee amendment in here. This then would become the bill?"

Senator Day: "That is correct, Senator."

Senator Ridder: "Thank you very much."

#### POINT OF INQUIRY

Senator Day: "Would Senator Donohue yield to a question? Senator Donohue, when I called you this morning during the meeting of Ways and Means, pretty early, I said, 'should I come right over'? And you said, 'No, we are considering a bill and we have another bill yet' and so I waited about fifteen minutes and came over to find that the committee was gone. Is that correct?"

Senator Donohue: "That is correct, Senator."

Senator Day demanded a roll call and the demand was sustained by Senators Washington, Greive, Ridder, Marsh, Scott, Metcalf, Canfield, Clarke and Jolly.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Day failed by the following vote: Yeas, 14; nays, 29; absent or not voting, 6.

Voting yea: Senators Bailey, Bottiger, Day, Greive, Guess, Herr, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Twigg, Van Hollebeke, Wanamaker, Washington—14.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Fleming, Francis, Gardner, Grant, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Murray, Newschwander, Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Walgren, Whetzel, Woodall, Woody—29.

Absent or not voting: Senators Connor, Dore, Durkan, Henry, Lewis (Harry), Sellar—6.

#### MOTION

Senator Canfield moved adoption of the following resolution:

## SENATE RESOLUTION 1973-85

By Senators Canfield, Jolly, Marsh and Washington:

WHEREAS, Agriculture and farming are occupations of primary concern in the state of Washington, and as such contribute significantly to the economy of the state; and

WHEREAS, The development of the agricultural and farming segment of the economy has been marked by a significant increase in the number of large corporate and integrated farming interests; and

WHEREAS, Many large corporate and integrated farming interests tend to be major corporations often of a "conglomerate" type, with principal economic and business interests in sections of the economy other than agriculture and farming; and

WHEREAS, Large corporate or integrated farming interests possess economic power over and above that represented by their farming interests alone, which economic power tends to force out smaller farmers creating significant economic and social problems; and

WHEREAS, The state of Washington may need to take action to preserve the viability and the integrity of the farming community; and

WHEREAS, Such action should only be undertaken after appropriate study of the problem of large corporate and integrated farming and its effect upon the economy and welfare of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Agriculture Committees of the House and Senate be charged with the authority and the duty jointly to make an appropriate study and recommendation concerning corporate conglomerate type farming in the state of Washington; and a report thereof submitted to the respective houses of the forty-fourth regular session of the legislature.

Senator Matson moved adoption of the following amendment by Senators Matson and Nenschwander to the resolution:

On page 1, beginning on line 11 strike all material through line 14.

Debate ensued.

The motion by Senator Matson carried and the amendment was adopted.

The motion by Senator Canfield carried and the resolution, as amended, was adopted.

## PERSONAL PRIVILEGE

Senator Day: "Mr. President and gentlemen of the Senate, I have been around here a little while and I know the rules just about as well as anybody else and the do's and the don't's and I apologize to the Chairman of the Ways and Means Committee for having tried to take a bill away from his committee. I know the reason for such a situation and I also apologize to his good aides. The only reason that I felt honor bound to do as I did was because of the way that it came about and I know that was no fault of the floor leader. He is a very busy man, even busier than some of the rest of us in these days. These are harried days. But, however, this bill did pass the House by a big majority and I believe honestly that there is no impact and would have been no impact because it would have stopped the department from making demands they were not intending to pay for. I want to thank the people that supported me and I tell all the people who did not that I understand very well the reason they did not. Thank you, gentlemen."

There being no objection, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

April 7, 1973.

SENATE BILL NO. 2119, authorizing retirement plans, including old age annuities, for faculty members and other employees of community colleges (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Higher Education and by Committee on Ways and Means.

Signed by: Senators Donohue, Vice Chairman; Atwood, Canfield, Fleming, Marsh, Metcalf, Peterson (Ted), Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

April 10, 1973.

ENGROSSED HOUSE BILL NO. 97, providing compensation in inverse condemnation cases for loss of value where there is no trespass to the property (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Bottiger, Dore, Durkan, Greive, Woodall.

MINORITY recommendation: Do not pass.

Signed by: Senator Woody, Vice Chairman.

Passed to Committee on Rules for second reading.

April 13, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, revising the laws relating to the state employees' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Fleming, Lewis (Harry), Marsh, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

April 13, 1973.

HOUSE BILL NO. 957, extending the state land planning commission until June 30th, 1973 (reported by Committee on State Government):

Recommendation: Do pass as amended.

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

Passed to Committee on Rules for second reading.

April 13, 1973.

SUBSTITUTE HOUSE BILL NO. 1005, exempting certain retirement benefits from inheritance taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Lewis (Harry), Metcalf, Peterson (Ted), Sandison, Scott.

Passed to Committee on Rules for second reading.

April 13, 1973.

HOUSE BILL NO. 1008, making an appropriation for publication of the session laws (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Donohue, Vice Chairman; Atwood, Canfield, Fleming, Lewis (Harry), Marsh, Metcalf, Peterson (Ted), Ridder, Scott.

Passed to Committee on Rules for second reading.

April 12, 1973.

HOUSE JOINT RESOLUTION NO. 22, amending the Constitution to permit tax increment financing of urban development (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Fleming, Marsh, Metcalf, Peterson (Ted), Ridder, Sandison.

Passed to Committee on Rules for second reading.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Atwood moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 704 failed to pass the Senate.

The motion for reconsideration failed.

## SPECIAL ORDER OF BUSINESS

SUBSTITUTE SENATE BILL NO. 2059, by Committee on Commerce (originally sponsored by Senators Day, Woodall and Bottiger) by Legislative Council request:

Providing for the licensing of hearing aid dealers.

The time having arrived, the Senate resumed consideration of Substitute Senate Bill No. 2059 which was read in full on Thursday, April 12, 1973.

On motion of Senator Greive, the rules were suspended, Substitute Senate Bill No. 2059 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2059, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Connor, Durkan, Jones, Keefe, Newschwander—5.

SUBSTITUTE SENATE BILL NO. 2059, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate advanced to the eighth order of business.

## MOTION

Senator Bottiger moved that the Committee on Commerce be relieved of further consideration of Engrossed Substitute House Bill No. 674 and the bill be placed on today's second reading calendar.

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained by Senators Francis, Grant, Woody, Murray, Guess, Metcalf, Washington, Scott and Stortini.

## ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger carried by the following vote: Yeas, 27; nays, 18; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Keefe, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Twigg, Walgren, Woodall, Woody—27.

Voting nay: Senators Clarke, Connor, Donohue, Dore, Greive, Herr, Jolly, Knoblauch, Lewis (Bob), Mattingly, Newschwander, Ridder, Sellar, Stortini, Talley, Van Hollebeke, Washington, Whetzel—18.

Absent or not voting: Senators Day, Jones, Rasmussen, Wanamaker—4.

## MOTION

On motion of Senator Bottiger, Engrossed Substitute House Bill No. 674 was made a special order of business on the second reading calendar for 8:00 p.m. tonight.

There being no objection, the Senate returned to the fourth order of business.



## MESSAGES FROM THE HOUSE

April 13, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 346,

HOUSE BILL NO. 376,

HOUSE BILL NO. 428, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 753, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 264, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 356, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 264,

HOUSE BILL NO. 356,

HOUSE BILL NO. 753, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

Senator Atwood moved that the Senate reconsider the vote by which the motion for reconsideration by Senator Atwood on Engrossed House Bill No. 704 failed.

Debate ensued.

## MOTION

On motion of Senator Mardesich, reconsideration of the motion by Senator Atwood on reconsideration of the vote by which Engrossed House Bill No. 704 failed to pass the Senate was made a special order of business immediately following consideration of Engrossed Substitute House Bill No. 674 which is a special order of business for 8:00 this evening.

## SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 264,

HOUSE BILL NO. 346,

HOUSE BILL NO. 356,

HOUSE BILL NO. 376,

HOUSE BILL NO. 428,

HOUSE BILL NO. 753.

## SIGNED BY THE PRESIDENT

The President signed:  
 SENATE BILL NO. 2101,  
 SENATE BILL NO. 2220,  
 SUBSTITUTE SENATE BILL NO. 2407,  
 SENATE BILL NO. 2552,  
 SENATE BILL NO. 2590.

## MOTION

At 6:15 p.m., on motion of Senator Mardesich, the Senate recessed until 7:45 p.m.

## EVENING SESSION

The President called the Senate to order at 7:45 p.m.

## MOTION

On motion of Senator Mardesich, Senate Concurrent Resolution No. 122 was re-referred to the Committee on Rules.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Atwood moved that the Senate reconsider the vote by which the motion for reconsideration failed on Engrossed House Bill No. 704 earlier today.

The motion for reconsideration carried.

## MOTION

On motion of Senator Atwood, Engrossed House Bill No. 704, on reconsideration, was ordered placed at the beginning of the third reading calendar for tonight.

There being no objection, the Senate returned to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 64, by Committee on Transportation and Utilities (originally sponsored by Representatives Conner and Gilleland):

Implementing the laws relating to the special fuel tax.

The bill was read the second time by sections.

On motion of Senator Walgren, Substitute House Bill No. 64 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 64, and the bill passed the Senate by the following vote: Yeas, 37; nays, 2; absent or not voting, 10.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—37.

Voting nay: Senators Lewis (Harry), Matson—2.

Absent or not voting: Senators Dore, Durkan, Fleming, Greive, Peterson (Lowell), Ridder, Stortini, Talley, Twigg, Van Hollebeke—10.

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.

ENGROSSED HOUSE BILL NO. 160, by Representatives Blair and Martinis (by Municipal Committee request):

Changing the time periods for permitting the disposal of personal property in the possession of certain authorities.

The bill was read the second time by sections.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, line 4 of the title strike "RCW 63.36.040" and insert "RCW 63.36.010".

On motion of Senator Mardesich, the following amendment to the title was adopted:

On page 1, section 2, line 26, strike "RCW 63.36.040" and insert "RCW 63.36.010".

On motion of Senator Mardesich, Engrossed House Bill No. 160, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 160, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; absent or not voting, 10.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-39.

Absent or not voting: Senators Connor, Dore, Greive, Lewis (Harry), Peterson (Lowell), Ridder, Stortini, Talley, Twigg, Van Hollebeke-10.

ENGROSSED HOUSE BILL NO. 160, 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.

HOUSE BILL NO. 164, by Representatives Conner and Kuehnle:

Deleting county auditors' duty to compare tax records with county treasurer.

The bill was read the second time by sections.

On motion of Senator Fleming, House Bill No. 164 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 164, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-42.

Absent or not voting: Senators Connor, Dore, Greive, Lewis (Harry), Peterson (Lowell), Talley, Twigg-7.

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.

HOUSE BILL NO. 252, by Representatives Ceccarelli, Pardini, Eikenberry and Leckenby:

Providing for a deferred compensation program for state employees.

#### REPORT OF STANDING COMMITTEE

April 2, 1973.

HOUSE BILL NO. 252, providing for a deferred compensation program for state employees (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 8, after "income" and before "and" insert "*which deferred portion shall in no event exceed 25% of such income,*".

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendment was adopted.

On motion of Senator Mardesich, House Bill No. 252, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 252, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; absent or not voting, 11.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—38.

Absent or not voting: Senators Atwood, Connor, Dore, Francis, Greive, Lewis (Harry), Matson, Newschwander, Peterson (Lowell), Talley, Twigg—11.

HOUSE BILL NO. 252, 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.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE HOUSE BILL NO. 674, by Committee on Social and Health Services (originally sponsored by Representatives Wojahn, Charette, O'Brien, Thompson, McCormick, Leckenby, Wilson, Ceccarelli, Parker, Swayze and Tilly):

Providing for the licensing of persons who fit and dispense hearing aids.

The time having arrived, the Senate commenced consideration of Engrossed Substitute House Bill No. 674, which was relieved from further consideration by the Committee on Commerce earlier in the day.

The bill was read the second time by sections.

On motion of Senator Bottiger, the following amendment was adopted:

On page 9, following section 14, add three new sections to read as follows:

"*NEW SECTION.* Sec. 15. (1) There is created hereby the council on hearing aids. The council shall consist of seven members to be appointed by the governor.

(2) Members of the council shall be residents of this state. Four members shall be persons experienced in the fitting of hearing aids who shall hold valid licenses under this chapter. One member shall be a medical doctor specializing in otolaryngology. One member shall be a clinical audiologist. One member shall represent the public.

(3) The term of office of a member is three years, except that on the first council three members shall serve for two years and four members shall serve for three years. A

member shall continue to serve until a successor has been appointed and qualifies. Before a member's term expires, the governor shall appoint a successor to assume his duties at the expiration of his predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

(4) The chairman of the council shall be elected from the membership of the council at the beginning of each year.

(5) The council shall meet at least once each year, at a place, day and hour determined by the council, unless otherwise directed by a majority of council members. The council shall also meet at such other times and places as are requested by the department or by three members of the council.

(6) Members of the council shall not be compensated for their services, but shall be reimbursed for their traveling expenses and receive a per diem in the manner provided for state employees under chapter 43.03 RCW.

*NEW SECTION.* Sec. 16. (1) The council shall have the responsibility and duty of advising the department in matters relating to this chapter, subject to approval by the department shall prepare the examination required by this chapter, and shall assist the department in carrying out the provisions of this chapter.

(2) The department shall consider and be guided by the recommendations of the council pursuant to this section and in all matters of policy relating to this chapter.

(3) The council whenever possible shall recommend that the department enter into reciprocity of licensure agreements with those states having licensure requirements equivalent to or higher than those provided herein.

(4) The council shall have the responsibility and duty of advising the department and preparing specific recommendations concerning the minimum standards of equipment and procedures in the fitting and dispensing of hearing aids.

*NEW SECTION.* Sec. 17. A member of the council on hearing aids shall not be permitted to take the examination provided under this chapter unless he has first satisfied the department that adequate precautions have been taken to assure that he does not and will not have any knowledge, not available to the members of the public at large, as to the contents of the examination."

Renumber the succeeding sections.

On motion of Senator Bottiger, Engrossed Substitute House Bill No. 674, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Day: "Will Senator Bottiger yield to a question? Is the otolaryngologist still in this bill?"

Senator Bottiger: "Yes. I never could pronounce that word."

#### MOTION

On motion of Senator Mardesich, Senator Talley was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 674, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senators Connor, Dore, Greive, Herr, Matson, Peterson (Lowell)—6.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE 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.

ENGROSSED HOUSE BILL NO. 76, by Representatives Bagnariol, Ceccarelli, Gaspard and Pardini:

Providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium.

#### REPORT OF STANDING COMMITTEE

April 12, 1973.

ENGROSSED HOUSE BILL NO. 76, providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 6, beginning with "Every" strike all of the material down to and including the quotation mark following "insured" on line 9 and insert "No insurer shall refuse to renew any policy of individual disability insurance issued after July 1, 1973 because of a change in the physical or mental condition or health of any person covered thereunder."

In section 2, line 18, after "deemed to" strike the remainder of the sentence and insert "affect the right of the insurer to rescind the policy as limited and defined in RCW 48.19.090."

Immediately following section 2, add three new sections to read as follows:

*NEW SECTION.* Sec. 3. There is added to chapter 48.20 RCW a new section to read as follows:

Notwithstanding any provision of any disability insurance contract as provided for in this chapter, benefits shall not be denied thereunder for any health care service performed by a holder of a license issued pursuant to chapter 18.88 RCW if (1) the service performed was within the lawful scope of such person's license, and (2) such contract would have provided benefits if such service had been performed by a holder of a license issued pursuant to chapter 18.71 RCW: PROVIDED, HOWEVER, That no provision of chapter 18.71 RCW shall be asserted to deny benefits under this section.

The provisions of this section are intended to be remedial and procedural to the extent they do not impair the obligation of any existing contract.

*NEW SECTION.* Sec. 4. There is added to chapter 48.21 RCW a new section to read as follows:

Notwithstanding any provision of any group disability insurance contract or blanket disability insurance contract as provided for in this chapter, benefits shall not be denied thereunder for any health service performed by a holder of a license issued pursuant to chapter 18.88 RCW if (1) the service performed was within the lawful scope of such person's license, and (2) such contract would have provided benefits if such service had been performed by a holder of a license issued pursuant to chapter 18.71 RCW: PROVIDED, HOWEVER, That no provision of chapter 18.71 RCW shall be asserted to deny benefits under this section.

The provisions of this section are intended to be remedial and procedural to the extent they do not impair the obligation of any existing contract.

*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."

On line 1 of the title, after the semicolon following "insurance" strike the balance of the title and insert "adding new sections to chapter 48.18 RCW; adding a new section to

chapter 48.20 RCW, and adding a new section to chapter 48.21 RCW.”

Signed by: Senators Day, Chairman; Connor, Greive, Herr, Jones, Murray, Woody.

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment to section 1, line 6.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: “Will Senator Day yield? Senator Day, there are certain policies that you can buy that are non-cancellable and you pay one rate. There are some which are cancellable and you pay a lesser rate. Would this have the effect of saying that one that you have carried at a lesser rate you could now suddenly make so it would be impossible to terminate it, the same as one that someone else paid more for, for several years, in order to enjoy the clause that you could not terminate?”

Senator Day: “Senator Woodall, in answer to your question, the first thing is obviously that no existing policy is going to be affected by this act through the constitutional guarantee against abrogation of an existing contract. Secondly, the new language reads, ‘No insurer shall refuse to renew any policy or individual disability insurance issued after July 1 because of change in the physical or mental condition or health of any person covered thereunder.’ In other words, if they do this for the specific reason they are trying to discharge their responsibility, then they cannot cancel the policy. Now by that, what good is it for a man to buy an insurance policy when he thinks he has some time in the future a health problem and then he comes along and has a health problem so the insurance company just fails to renew or cancels his policy?”

The motion by Senator Day carried and the committee amendment to section 1, line 6, was adopted.

On motion of Senator Day, the remainder of the committee amendments were adopted.

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, Engrossed House Bill No. 76, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 76, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 28; nays, 16; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Walgren, Washington, Woody—28.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jolly, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Sellar, Twigg, Wana-maker—16.

Absent or not voting: Senators Peterson (Lowell), Van Hollebeke, Whetzel, Woodall—4.

Excused: Senator Talley—1.

ENGROSSED 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.

#### MOTION

On motion of Senator Day, all bills passed today were ordered immediately transmitted to the House.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 340, by Committee on Social and Health Services (originally sponsored by Representatives Morrison, Johnson, Smythe and Maxie (by Department of Social and Health Services request)

Implementing laws relating to tuberculosis hospitalization and control.

## REPORT OF STANDING COMMITTEE

April 12, 1973.

SUBSTITUTE HOUSE BILL NO. 340, implementing laws relating to tuberculosis hospitalization and control (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, add a new section following section 4 as follows:

"Sec. 5. Section 8, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.040 are each amended to read as follows:

The district commission shall appoint and determine the compensation of a hospital superintendent for the district who shall serve at the pleasure of the commission and be a physician duly licensed in this state and qualified in public health and/or specializing in the care of tuberculosis. Such superintendent shall act as administrative officer for the commission, shall be the tuberculosis control officer for the district, and shall be empowered to employ such technical and other personnel as approved by such commission. *Said superintendent shall have the same powers, duties and responsibilities, throughout the district, as local health officers for the control, prevention, casefinding and treatment of persons who have or may have tuberculosis.*"

On line 5 of the title, after "70.33.030;" strike the balance of the title and insert "amending section 18, chapter 277, Laws of 1971 ex. sess. and RCW 70.33.040; and amending section 8, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.040."

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Herr, Jones, Keefe, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, Substitute House Bill No. 340, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 340, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Connor, Peterson (Lowell)—2.

Excused: Senator Talley—1.

SUBSTITUTE HOUSE BILL NO. 340, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



THIRD READING

Engrossed House Bill No. 704 was placed on final passage on reconsideration of the vote by which the bill failed to pass the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 704, and on reconsideration passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Connor, Donohue, Durkan, Fleming, Francis, Greive, Henry, Herr, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—31.

Voting nay: Senators Bottiger, Canfield, Clarke, Day, Dore, Gardner, Grant, Guess, Jolly, Jones, Lewis (Bob), Mattingly, Murray, Scott, Sellar—15.

Absent or not voting: Senators Peterson (Lowell), Woodall—2.

Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 704, on reconsideration, having received the 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 Senator Mardesich, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2105 with the following amendments:

On page 1, following the enacting clause, strike the remainder of the bill and insert the following:

“NEW SECTION. Section 1. That a capital budget is hereby adopted and subject to provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1975, out of several funds hereinafter named.

NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

	Reappro- riations	From the Fund Designated	From the General Fund
(1) Acquire land and buildings, construct, repair and remodel buildings, site improvements, utility relocations, equipment, appointments, and other improvements, remodel and repair legislative offices, committee rooms, and similar facilities, parking facilities, preplanning and design of Executive Office Building and parking facilities, construct Office Building No. 2 with construction of adjacent plaza and schematics for facilities (\$23,302,000)			
General Fund .....	452,000		
State Building Construction Account .....			22,850,000

Capitol Building Construction Account .....	255,000	
State Building Construction Account .....	300,500	
(2) Remodel and repair Capitol Buildings, offices and facilities (\$725,000) General Fund .....	100,000	
Capitol Building Construction Account .....		625,000
(3) Develop Capitol Lake recreational facilities Outdoor Recreation Account .....		100,000
(4) Street repairs north of Temple of Justice Capitol Building Construction Account .....		75,000
(5) Acquisition, development and improvement of lands, improvements and facilities within the East Capitol Site Capitol Purchase and Development Account .....	550,000	
(6) Repairs and improvements to Capitol Lake Area (\$30,000) Capitol Building Construction Account .....	15,000	15,000
(7) Review, update and revise the Capitol campus master plan Capitol Building Construction Account .....		100,000
(8) Miscellaneous remodeling of State Capitol Museum building to insure compliance with applicable codes Capitol Building Construction Account .....		50,000
(9) Remodel and repair of elective officials' offices Capitol Building Construction Account .....		100,000
(10) Preplanning to improve Capitol Lake Capitol Building Construction Account .....	48,000	
(11) Purchase Thurston County Courthouse under East Campus Development plan State Building Construction Account .....		2,000,000
(12) Remodel, repair and improve legislative building; remodel and expand other legislative facilities including related costs of leased space and moving State Building Construction Account .....		2,036,000

## NEW SECTION. Sec. 3. FOR THE MILITARY DEPARTMENT

	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct new armory—Seattle Seattle Armory Fund .....	2,000,000		
(2) Construct, repair, remodel buildings and improve facilities, including ar-			

chitect and engineering fees (\$89,168)		
General Fund .....	50,000	39,168
(3) Preplanning for schematic plans for projects in 1975-77 capital budgets		
General Fund .....		11,610

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

	Reappropriations	From the Fund Designated	From the General Fund
(1) Washington State Penitentiary			
(a) Construct locking system for wing six (50% reimbursable)			
General Fund .....			154,080
(b) Construct and equip Motor Vehicle Building (50% reimburseable)			
General Fund .....			265,050
(2) Washington State Reformatory			
(a) Remodel inmates' dining room and bakery			
General Fund .....	49,071		
(b) Remodeling costs at the Reformatory to provide a treatment facility for mentally disturbed residents of adult correctional institutions			
General Fund .....	38,708		
(c) Modernization of residents' (inmates') living areas (50% reimburseable)			
General Fund .....			521,640
(3) Purdy Treatment Center for Women			
(a) Construct and equip new Women's Correctional Institution (\$240,072)			
General Fund .....	218,902		
CEP and RI Account .....	21,170		
(b) Connect sewer line from institution to new Gig Harbor sewage disposal plant (50% reimburseable)			
General Fund .....			150,000
(4) Maple Lane School			
Construct and equip treatment security building (\$1,229)			
State Building and Higher Education Construction Account .....	1,229		
(5) Green Hill School			
Construct and equip treatment security building and renovate isolation unit			
General Fund .....	35,345		
(6) Group Homes			
Construct and equip new group homes			
General Fund .....	143,898		
(7) Western State Hospital			
(a) Construct and equip Pharmacy and Central Supply Building			
CEP and RI Account .....		397,182	
(b) Remodel and equip kitchen and dining room; construct refrigeration building			

CEP and RI Account .....		328,524
(8) Firecrest School		
(a) Construct and equip activities building		
General Fund .....	263,801	
(b) Replace Redwood Hall—Phase I and II (\$48,475)		
General Fund .....	40,501	
State Building and Higher Education Construction Account .....	7,974	
(9) Interlake School		
Construct covered outdoor recreation area to allow for a program with emphasis in improving physical well-being and development of each child		
General Fund .....		41,000
(10) Rainier School		
(a) Construct and equip Vocational-Training building		
State Building and Higher Education Construction Account .....	26,524	
(b) Construct and equip Volunteer Services building — "Student Store"		
General Fund .....	148,824	
(11) Lakeland Village		
(a) Repair and remodel lavatory facilities in residential halls		
CEP and RI Account .....		386,860
(b) Construct and equip dietary addition		
CEP and RI Account .....		174,733
(12) School for the Blind		
Remodel and renovate kitchen to provide modern, sanitary facility		
General Fund .....		55,000
(13) School for the Deaf		
(a) Construct covered outdoor recreational area so all students can participate in outdoor recreation program		
General Fund .....		112,000
(b) Remodel kitchen and dining room to provide a modern kitchen with all new equipment; new chairs and tables in dining room		
General Fund .....		382,799
(c) Construct and equip advanced classroom building		
General Fund .....		1,076,044
(14) Soldiers' Home and Colony		
Remodel and equip kitchen, Phase II to provide modern kitchen with all new equipment (50% reimburseable)		
General Fund .....		342,000
(15) Departmental		
(a) Upgrade fire and safety standards per recommendations of state fire marshal and safety inspectors (\$1,348,533)		
General Fund .....	821,533	527,000

(b) Repair or replace electric, water, steam and sewer lines, boilers, install emergency generators; reduce air and water pollution (\$2,072,787)			
General Fund .....	1,190,899		713,432
CEP and RI Account .....	61,888	106,568	
(c) Roof repairs, parking area repairs, road repairs and other minor repairs to buildings at various institutions including repairs to meet health inspectors recommendations (\$2,024,414)			
General Fund .....	541,230		1,483,184
(d) Preplanning for schematic plans for projects in 1975-77 capital budget (\$444,587)			
General Fund .....	244,587		200,000
(e) Preparation of a comprehensive plan for a state-wide system of social and health services facilities			
State and Local Improvements Revolving Account .....		250,000	
(16) Schools for mentally retarded			
For capital improvements required to certify all five schools for the retarded as skilled nursing homes so that the state may receive partial reimbursement from the Federal Government under Title XIX of the Social Security Act			
General Fund .....	299,178		

NEW SECTION. Sec. 5. FOR THE EMPLOYMENT SECURITY DEPARTMENT

	Reappropriations	From the Fund Designated	From the General Fund
Improvement of existing central office buildings and necessary related costs: PROVIDED, That this appropriation shall be available only to the extent that federal funds under Section 903 of the Federal Social Security Act are made available for this purpose: PROVIDED FURTHER, That this appropriation is made pursuant to and is limited by provisions of section 903-C(2) of the Federal Social Security Act as amended: PROVIDED FURTHER, That any unexpended balance of said federal funds shall be promptly returned to the account of the State of Washington in the Unemployment Compensation Trust Fund as may be required by federal law or regulation			
Unemployment Compensation Administration Fund .....			470,000

NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF ECOLOGY			
	Reappropriations	From the Fund Designated	From the General Fund
(1) For construction of ground water observation wells (\$233,000)			
General Fund .....	48,000		185,000
(2) Construct sewerage systems and waste disposal facilities in existing state parks including, but not limited to, collector systems, treatment facilities, lift stations, trailer dumps, and lagoons			
State and Local Improvements Revolving Account .....		1,610,050	
NEW SECTION. Sec. 7. FOR THE STATE PARKS AND RECREATION COMMISSION			
	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct, repair and improve park facilities (\$1,032,353)			
General Fund .....	825,379		682,333
(2) Purchase and develop park sites, develop boat moorages, renovate facilities, improve parking areas, group camp facilities, historical sites and archeological investigations (\$13,307,044)			
Outdoor Recreation Account .....	9,407,044	3,800,000	
(3) Modernization and improvements at various parks			
State and Local Improvement Revolving Account .....		2,102,400	
(4) Modernization and improvement of Rockport state park			
Outdoor Recreation Account .....		50,000	
(5) Reimburse Outdoor Recreation Account for over-expenditures of previous biennia involving Peace Arch, Lake Sammamish and Battleground State Parks			
General Fund .....			15,026
(6) Purchase of Nalley Site, Parcels A, B, and C, in Mason County for development of state park as established by the State Parks and Recreation Commission's priority list			
Outdoor Recreation Account .....		1,700,000	
NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF FISHERIES			
	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct and improve fish farms, rearing ponds, spawning channels, hatcheries, fishways and other fish facilities, purchase land and make emergency repairs to structures			
(a) General Fund—State Appropriation (\$1,852,825) .....	324,000		1,528,825
(b) General Fund—Federal appropriation (\$791,155) .....	250,000		541.155

(Federal share of 50% reimburseable projects)

(c) General Fund—Federal appropriation (\$1,135,000) ..... 135,000 1,000,000  
 (100% federally reimburseable projects)

(2) Construct Elwha spawning and egg incubation channel or such other facilities as needed to restore Elwha salmon run and it is the intent of the legislature that an amount from private sources equal to state funds be spent on this project  
 General Fund ..... 375,000

NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF GAME

	Reappropriations	From the Fund Designated	From the General Fund
(1) Purchase and develop land (\$8,506,-870)			
Outdoor Recreation Account .....	4,256,390	3,450,480	
Game Fund .....		800,000	
(2) Construct and equip fish and game protection facilities (100% reimburseable)			
Game Fund .....		1,000,000	
(3) Construct or purchase and improve headquarters buildings, hatcheries, facilities, rearing ponds, game range facilities, and brooder houses and pens			
Game Fund .....		899,446	
(4) Construct and equip fish and game protective facilities (50% or 75% reimburseable)			
Game Fund .....		1,777,000	

NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF NATURAL RESOURCES

	Reappropriations	From the Fund Designated	From the General Fund
(1) Right-of-way acquisitions, construct honor camp bridges and culverts, timber access road construction; construct scaling stations, lookout towers, improvements to fire protective facilities, construct and equip district headquarters, and construct wild life enclosures (\$2,612,500)			
General Fund .....	62,000		145,750
Forest Development Account .....	190,500	234,000	
Resources Management Cost Account .....	337,500	1,642,750	
(2) Water development, road construction, land clearing and leveling of agricultural land and range improvements (\$1,771,832)			
Resources Management Cost Account .....	1,163,000	608,832	
(3) Acquire and develop land for recreational uses, trails, scenic roads, shorelands, forest, ecological and			

other areas managed by the Department (\$2,683,799)			
Outdoor Recreation Account .....	1,768,939	914,860	
(4) Develop public camping facilities			
Outdoor Recreation Account .....		20,000	
(5) Construct and provide seed orchard facilities (\$264,000)			
Resources Management Cost Account .....	54,000	210,000	
(6) Land Reclamation—Webster Nursery			
Resources Management Cost Account .....		20,000	
(7) Bellingham Nursery Lath House			
Resources Management Cost Account .....		25,000	
(8) For building construction, road construction, bridge construction, and other improvements at Larch Mountain honor camp			
General Fund .....	55,000		170,000

NEW SECTION. Sec. 11. FOR THE UNIVERSITY OF WASHINGTON			
	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct and equip computer center			
State Building and Higher Education Construction Account .....	1,239,390		
(2) Provide for Far Eastern Library			
University of Washington Building Account .....	200,000		
(3) Health Sciences renovation, Phases IIIA, IIIB, and IIIC (including Health Sciences Teaching increment and existing building)			
University of Washington Building Account (\$6,300,000) .....	2,600,000	3,700,000	
(4) Construct and equip new Law Center building (\$1,490,556)			
State Building and Higher Education Construction Account .....	1,328,856		
University of Washington Building Account .....	161,700		
(5) Construct and equip Performing Arts building (Meany Hall) (\$3,600,000)			
University of Washington Building Account .....	3,300,000		
State Building and Higher Education Construction Account .....	300,000		
(6) Remodel and enlarge Physical Plant Services building			
State Building and Higher Education Construction Account .....	125,000		
(7) Construct and equip Psychology building			
State Building and Higher Education Construction Account .....	265,000		
(8) Utilities, services, minor repairs and betterments (\$4,090,000)			
University of Washington Building Account .....	1,750,000	2,340,000	



(9) Preplanning for projects in 1975-77 Capital Budget University of Washington Building Account .....	100,000	
(10) Renovate Bagley Hall, Phase II University of Washington Building Account .....		2,000,000
(11) Renovate More Hall, Phase II University of Washington Building Account .....		700,000
(12) Renovation of Smith-Condon Halls University of Washington Building Account .....		1,800,000
(13) Renovate Johnson Hall University of Washington Building Account .....		1,200,000

NEW SECTION. SEC. 12. FOR WASHINGTON STATE UNIVERSITY

	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct and equip Physical Sciences building, Phase I and II Washington State University Building Account .....	1,306,000		
(2) Addition to and remodeling of Arts Hall Washington State University Building Account .....	69,670		
(3) Moveable equipment for Humanities building, Phase I Washington State University Building Account .....	223,000		
(4) Livestock Teaching and Research facilities, Phase I Washington State University Building Account .....	118,200		
(5) Remodel Byran Hall Washington State University Building Account .....	1,250,000		
(6) Preplanning for projects in 1975-77 capital budget Washington State University Building Account .....	96,248		
(7) Remodel buildings and improve facilities (\$2,631,400) Washington State University Building Account .....	1,537,000	1,094,400	
(8) Extend utilities (\$1,643,118) Washington State University Building Account .....	883,118	760,000	
(9) Construct and equip Bio-Science building, Phase II State Higher Education Construction Account .....			9,378,800
(10) Construct and equip Library addition (\$6,714,300) Washington State University Building Account .....			3,191,000
State Higher Education Construction Account .....			3,523,300

(11) Veterinary Sciences building design  
 Washington State University Building Account .....

331,200

NEW SECTION. Sec. 13. FOR EASTERN

WASHINGTON STATE COLLEGE  
 Reappropriations From the Fund From the General Fund  
 Designated

- (1) Utility tunnels and services, including purchase and installation of boiler and chiller system (\$1,623,442)  
 Eastern Washington State College Capital Projects Account .....
- (2) Remodel buildings, develop and improve facilities, major betterments and extend utilities (\$299,173)  
 Eastern Washington State College Capital Projects Account .....
- (3) Construct and equip Physical Education building, Phase III (\$4,489,500)  
 Eastern Washington State College Capital Projects Account .....
- (4) Science and "Isle" Buildings remodeling  
 Eastern Washington State College Capital Projects Account .....
- (5) Improvements to grounds (\$255,154)  
 Eastern Washington State College Capital Projects Account .....
- (6) Preplanning for projects in the 1975-77 capital budget  
 Eastern Washington State College Capital Projects Account .....
- (7) Construct and equip Creative Arts Complex, Phase II  
 Eastern Washington State College Capital Projects Account .....
- (8) Moveable equipment for buildings under State Building Authority  
 Eastern Washington State College Capital Projects Account .....
- (9) Cheney Sewer System  
 Eastern Washington State College Capital Projects Account .....

1,111,242 512,200  
 115,173 184,000  
 489,500  
 4,000,000  
 1,000,600  
 205,154 50,000  
 20,000  
 26,920  
 54,368  
 1,782

NEW SECTION. Sec. 14. FOR CENTRAL

WASHINGTON STATE COLLEGE  
 Reappropriations From the Fund From the General Fund  
 Designated

- (1) Land acquisition  
 Central Washington State College Capital Projects Account .....
- (2) Construct and equip Psychology building  
 Central Washington State College Capital Projects Account .....
- (3) Construct and equip Library-Instructional complex (\$4,910,000)  
 State Building and Higher Education Construction Account .....

70,100  
 80,000  
 4,858,571

Central Washington State College Capital Projects Account .....	51,429	
(4) Construct and equip boiler plant, addition (\$2,912,722) Central Washington State College Capital Projects Account .....	571,822	
State Higher Education Construc- tion Account .....		2,340,900
(5) Purchase and install initial plant utility distribution monitoring and control system Central Washington State College Capital Projects Account .....	300,513	
(6) LID Projects of City of Ellensburg Central Washington State College Capital Projects Account .....	112,665	
(7) Utilities extensions and renovations Central Washington State College Capital Projects Account .....	1,144,885	
(8) Remodel buildings and improve fa- cilities and campus (\$440,213) Central Washington State College Capital Projects Account .....	258,213	182,000
(9) Construct and equip buildings and grounds building Central Washington State College Capital Projects Account .....	37,276	
(10) Preplanning for projects in 1975-77 capital budget (\$70,000) Central Washington State College Capital Projects Account .....	30,000	40,000
(11) Life Safety Corrections provides for water backflow prevention devices, upgrading of fire alarm systems, and installation of a sprinkler fire pro- tection system in plant services ware- house Central Washington State College Capital Projects Account .....		200,000
(12) Nicholson Pavilion permanent floor surfacing Central Washington State College Capital Projects Account .....		100,000
(13) Electrical Systems Renovation Central Washington State College Capital Projects Account .....		40,000
(14) Chilled water and chiller piping loop Central Washington State College Capital Projects Account .....		177,400
(15) Corrosion prevention Central Washington State College Capital Projects Account .....		65,000
(16) Sewer System modifications Central Washington State College Capital Projects Account .....		110,900
(17) Moveable equipment for projects under State Building Authority Central Washington State College Capital Projects Account .....	13,500	

NEW SECTION. Sec. 15. FOR THE EVERGREEN STATE COLLEGE

	Reappropriations	From the Fund Designated	From the General Fund
(1) Construct and equip Seminar Building, Phase I State Building and Higher Education Construction Account .....	1,900,000		
(2) Construct and equip Science Laboratories State Building and Higher Education Construction Account .....	625,000		
(3) Landscaping and improvements to campus, Phase I State Building and Higher Education Construction Account .....	65,000		
(4) Construct and equip College Activities Building, Phase I State Building and Higher Education Construction Account .....	50,000		
(5) Construct and equip College Recreation Center, Phase I State Building and Higher Education Construction Account .....	65,000		
(6) Construction of Phase I of the campus loop road The Evergreen State College Capital Projects Account .....	150,000		
(7) Clear, grade and complete College Parkway (\$461,474) The Evergreen State College Capital Projects Account .....	46,000	415,474	
(8) Construct and equip laboratory and office building; to increase laboratory facilities and provide additional administrative office space State Higher Education Construction Account .....		7,512,962	
(9) Equipment for Seminar Building, Phase I General Fund .....			355,227
(10) To plan construction of a forensic sciences building: PROVIDED, That construction of the forensic sciences building shall not commence without further legislative approval			
(11) Minor improvements and remodeling The Evergreen State College Capital Projects Account .....		20,000	
(12) Site improvements and utilities expansion The Evergreen State College Capital Projects Account .....		447,733	

NEW SECTION. Sec. 16. FOR WESTERN WASHINGTON STATE COLLEGE

	Reappropriations	From the Fund Designated	From the General Fund
(1) Land acquisition (\$354,826) Western Washington State College Capital Projects Account .....	196,426	158,400	
(2) Preplanning for projects in 1975-77			

Capital Budget (\$108,076)		
Western Washington State College		
Capital Projects Account .....	70,076	8,000
State Higher Education Construction Account .....		30,000
(3) Utility expansion and modernization (\$3,642,031)		
General Fund .....	1,631,590	
Western Washington State College		
Capital Projects Account .....	1,246,541	763,900
(4) Remodel college buildings and improvements to buildings and facilities (\$580,675)		
General Fund .....	47,740	
Western Washington State College		
Capital Projects Account .....	432,935	100,000
(5) Purchase necessary moveable equipment for State Building Authority buildings (\$771,406)		
General Fund .....	675,000	
Western Washington State College		
Capital Projects Account .....	96,406	
(6) Construct and equip addition to Arts building		
Western Washington State College		
Capital Projects Account .....	22,579	
(7) Construct and equip Music/Auditorium addition		
State Building and Higher Education Construction Account .....	1,059,208	
(8) Fairhaven Unit academic facilities		
Western Washington State College		
Capital Projects Account .....	34,572	
(9) Construct and equip library addition, Phase III		
Western Washington State College		
Capital Projects Account .....	362,477	
(10) Renovation of Old Main Building (\$1,681,005)		
State Building and Higher Education Construction Account .....	842,005	
Western Washington State College		
Capital Projects Account .....	839,000	
(11) Construct and equip Social Science building (\$2,880,561)		
General Fund .....	400,000	
State Building and Higher Education Construction Account .....	1,449,561	
Western Washington State College		
Capital Projects Account .....	500,000	
State Higher Education Construction Account .....		531,000
(12) Design for applied arts and sciences building		
State Higher Education Construction Account .....		197,500
(13) Renovation of Old Main Building, Phase II		
State Higher Education Construction Account .....		2,754,000
(14) Equipment for Leona M. Sundquist marine laboratory at Shannon Point		

State Higher Education Construction Account ..... 85,000

NEW SECTION. Sec. 17. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

	Reappropriations	From the Community College Capital Projects Account	From the Community College Capital Improvement Account
(1) Removal of Edison South and construction of replacement facilities designated as Phase II of Seattle Central Campus .....		8,001,601	
(2) Construct vocational and academic facilities designated as Phase II of Walla Walla Community College .....		2,002,399	386,839
(3) Remodel and equip a portion of existing space for vocational programs at North Seattle Campus .....			836,505
(4) Construct vocational facilities designated as Human Services Building, Vocational Arts Building, and photography laboratory at Spokane Falls Campus .....			1,670,515
(5) Construct vocational facilities designated as Buildings 1, 2, and 3 at Highline Community College .....			3,806,543
(6) Construct vocational and academic facilities designated as Science Building, Campus Service Building, and Food Services Training Building at South Seattle Campus .....			4,554,099
(7) Construct vocational and academic facilities designated as Group A and Group B at Tacoma Community College: PROVIDED, That no funds shall be expended or obligated from this appropriation pending completion of legislative study of existing and proposed community college facilities in Pierce County and in no event shall any expenditures be made or obligations incurred until after September 30, 1973 .....			1,246,317
(8) Construct vocational facilities designated as Group A, Phase III at Fort Steilacoom Community College: PROVIDED, That no funds shall be expended or obligated from this appropriation pending completion of legislative study of existing and proposed community college facilities in Pierce County and in no event shall any expenditures be made or obligations incurred until after September 30, 1973 .....			1,132,585
(9) Construct vocational facilities designated as additions to Phase II at Bellevue Community College .....			1,881,544
(10) Construct vocational and academic facilities designated as Mechanics			

Complex and addition to Glenn Hall at Yakima Community College .....		2,224,748
(11) Construct vocational facilities designated as Science Building at Edmonds Campus .....		1,141,992
(12) Construct vocational and support facilities designated as Phase I of permanent campus at Olympia Vocational-Technical Campus: PROVIDED. That \$20,000 of this appropriation shall be available for development of schematic plans for support facilities ....		2,264,789
(13) Remodel a portion of existing space for vocational programs at Clark Community College .....		339,269
(14) Construct Health Occupation Building including site acquisition at Olympic Community College .....		724,291
(15) Develop and construct general academic, vocational and support facilities at Centralia College .....		917,698
(16) Preplanning for schematic plans for 1975-77 new capital projects .....		150,000
(17) Costs of administering the relocatable pool of facilities .....	324,000	
(18) Emergency Capital Repairs .....	500,000	
It is the intent of the Legislature that the State Board for Community College Education shall prepare prior to January 1, 1974, a system wide priority list of individual community college capital projects for submission to the Legislative Budget Committee, Council on Higher Education, and the Office of Program Planning and Fiscal Management and such lists shall be reviewed and evaluated prior to the appropriation of any planning funds		
(19) Construction, remodeling, conversion, removal and replacement of vocational, academic and other community college facilities		
Community College Capital Projects Account .....	14,638,151	

NEW SECTION. Sec. 18. FOR PENINSULA COMMUNITY COLLEGE

	Reappropriations	From the Fund Designated	From the General Fund
Construction, repairs, remodeling, equipment and other capital improvements			
General Fund .....			10,313

NEW SECTION. Sec. 19. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION

	Reappropriations	From the Fund Designated	From the General Fund
Public School Building construction (\$73,293,249)			
Common School Building Construction Account .....	4,408,901		
Public School Building Construction Account .....	139,974		
Common School Construction Fund: PROVIDED, That not to exceed \$220,- 000 or so much thereof as needed, may be utilized to fund the school buildings systems study directed in Chapter 28.A04 RCW: PROVIDED FURTHER, That \$200,000 or as much thereof as shall be sufficient may be made available for reimbursement of school districts for the full cost in- curred for preliminary planning, but no more than \$100,000 shall be ex- pended in any one fiscal year.....	39,395,735	29,348,639	

NEW SECTION. Sec. 20. FOR THE STATE PATROL

	Reappropriations	From the Motor Vehicle Fund	From the General Fund
(1) Construct and equip weigh stations including site acquisitions and im- provements and relocations of existing sites (\$647,700)			
Motor Vehicle Fund .....	180,000	467,700	
(2) Install water and sanitary facilities at Westbound Gig Harbor weigh sta- tion (\$5,000)			
Motor Vehicle Fund .....	3,000	2,000	
(3) Replace radio relay facility—Oka- nogan Motor Vehicle Fund .....	12,960		
(4) Mobile radio relay station Motor Vehicle Fund .....	35,700		
(5) Weigh Station Improvement—Wal- lula Motor Vehicle Fund .....	9,100		
(6) Construct detachment office—Ellens- burg—Mobile Radio .....		221,000	
(7) Communications—North Cross State Highway .....		150,000	
(8) Mobile Radio Relay Station—Forks.		20,000	
(9) Replace Auxiliary Power Plants ...		6,000	
(10) Construct communications center and district headquarters—East King County (\$488,500).....	368,000	120,500	
(11) Install city water line, Martin Way property—Olympia .....		11,000	
(12) Construct office addition, pave driveways and parking areas—Ken- newick detachment .....		6,500	
(13) Construct office addition and pave parking lots—Ephrata detachment ...		7,000	
(14) Second phase landscaping — Oka- nogan detachment .....		3,000	



(15) Replace communications—Columbia River Area	
Motor Vehicle Fund .....	110,000
(16) Construct detachment offices at Kelso and Chehalis	
Motor Vehicle Fund .....	300,000

**NEW SECTION.** Sec. 21. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

	Reappropriations	From the Fund Designated	From the General Fund
Pave parking lot on land to be donated to the Society by the Eastern Washington Museum Foundation			
General Fund .....			6,800

**NEW SECTION.** Sec. 22. There is hereby appropriated for Capital Improvement purposes to the Washington State Historical Society from the General Fund, the sum of \$150,000 for the biennium ending June 30, 1975.

**NEW SECTION.** Sec. 23. There is hereby appropriated from the Building Authority Construction Account within the General Fund to the following agencies: University of Washington \$3,864,714; Washington State University \$1,848,877; Eastern Washington State College \$94,144; Central Washington State College \$1,121,500; The Evergreen State College \$172,000; and Western Washington State College \$1,022,990; Department of Commerce and Economic Development (for EXPO '74) \$5,359,423.

**NEW SECTION.** Sec. 24. There is hereby reappropriated from the Community College Capital Project Account to the State Board for Community College Education for allocation to Big Bend Community College (District 18) the sum of \$990,000 to construct and equip a science building on the north campus and to remodel various other existing structures.

**NEW SECTION.** Sec. 25. There is hereby reappropriated from the general fund to the state board for community college education the sum of \$350,000 or so much thereof as may be required for construction and equipping the final unit of the engineering technology building on the south campus of the Seattle Community College: PROVIDED, That the director of the office of program planning and fiscal management may allocate from this appropriation no more than shall be realized from the pending sale of the real property and improvements thereto known as the Holgate branch of the Seattle community college.

**NEW SECTION.** Sec. 26. There is hereby reappropriated from the general fund to the State Board for Community College Education the sum of \$950,000 or so much thereof as is deposited in the state general fund from the pending sale of the following described real property and any fixtures thereon, whichever amount is the lesser, for the construction, repairs, remodeling, land acquisition, equipment and other capital improvements for Seattle community college district number 6:

All of Block numbered 11 of Hill Tract Addition to the City of Seattle, King County, Washington; bounded on the East by 19th Avenue, on the South by Main Street, on the West by 18th Avenue, and on the North by the Imaginary center line of Washington Street, extended Easterly to its intersection with 19th Avenue.

**NEW SECTION.** Sec. 27. The words "capital improvements" or "capital projects" used herein shall mean acquisition of sites, easements, rights of way or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition or major alterations of new or presently owned capital assets.

**NEW SECTION.** Sec. 28. Before a capital project shall begin or an obligation incurred or contract entered into, the Director of the Office of Program Planning and Fiscal Management, with the approval of the Governor, shall first allot funds therefor or so much as may be necessary from the appropriation made herein.

**NEW SECTION.** Sec. 29. Additional federal funds or other receipts, gifts and grants may be received and allotted by the Governor for capital projects in compliance with RCW 43.79.260 through 43.79.280 inclusive as now or hereafter amended. Whenever possible, funds or unanticipated receipts from these other available sources shall be used in lieu of appropriations from the general fund or other funds or accounts provided by this act. Unless

required by federal laws or regulations or the terms or other gifts or grants, these additional revenues shall not be used to expand the scope of the project as approved by the Legislature, the capacity of any facility or the overall amount spent beyond the scope, capacity or overall cost anticipated by the Legislature in making the appropriation without prior legislative approval. If unanticipated receipts are substituted for appropriated funds pursuant to this section, it is the intent of the Legislature that the appropriation balance revert to the fund of origin.

*NEW SECTION.* Sec. 30. To effectively carry out the provisions of this act, the Governor may assign responsibility for planning, engineering and construction and other related activities to any appropriate agency.

*NEW SECTION.* Sec. 31. Reappropriations shall be limited to the unexpended balances remaining June 30, 1973, in the current appropriation for each project.

*NEW SECTION.* Sec. 32. The Governor, through the Director of the Office of Program Planning and Fiscal Management, may authorize a transfer of funds appropriated for a capital project in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient only within the Division of Institutions, Department of Social and Health Services, or between appropriations for a specific department, commission or institution of higher education. No such transfer shall be used to expand the capacity of any facility beyond that anticipated by the legislature in making the appropriation. A report of any transfer effected under this section shall be filed with the Legislative Auditor for transmittal to the Legislative Budget Committee by the Director of the Office of Program Planning and Fiscal Management within thirty days of the date the transfer is effected.

*NEW SECTION.* Sec. 33. Any capital improvement or capital project for construction, repair or maintenance authorized by this act, unless constructed pursuant to the provisions of chapter 39.04 RCW, shall be done by contract after public notice and competitive bid: PROVIDED, That this section shall not apply to the acquisition of sites, easements, or rights of way; nor to contracts for architectural or engineering services; nor to emergency repairs; nor to portions of projects involving inmate labor at a state institution.

*NEW SECTION.* Sec. 34. Except as provided in section 32 of this act none of the funds appropriated in this act shall be used by any community college for satellite or secondary campuses, nor any facilities acquired therefor; a satellite or secondary campus for the purposes of this act shall be any location having facilities to carry on instructional programs away from the primary campus of a community college district, with the exception of those facilities of a temporary nature, including facilities in local high schools, in community or privately owned buildings, mobile units, or in any other facility or location which is rented or leased for a period not to exceed two years.

*NEW SECTION.* Sec. 35. None of the funds appropriated in this act shall be used for new dormitory facilities at community colleges. In addition, any proposals to establish new dormitory facilities at any community college shall be included in the capital budget request of the state board for community colleges as submitted to the office of program planning and fiscal management, and thereafter shall be included in the executive budget for review by the legislature. Such facilities shall not be established unless authorized by the legislature.

*NEW SECTION.* Sec. 36. No expenditures of appropriated funds for minor capital outlays and/or repairs approved in this act shall be made by any state institution of higher learning offering post-high school educational programs until such anticipated expenditures have been reported to the office of program planning and fiscal management and the legislative budget committee.

*NEW SECTION.* Sec. 37. Notwithstanding any other provision of law, it is the intention of the Legislature that the Institutions of Higher Education not expend any local plant funds or any other moneys for construction of married student housing during the 1973-75 biennium.

*NEW SECTION.* Sec. 38. The Council on Higher Education is directed to prepare a fiscal note indicating the estimated operating cost impact of each capital project of the institutions of higher education and the community colleges. The fiscal notes shall be made available to the appropriate committees of the Legislature not later than thirty days following submission of the proposed capital budget requests to the Governor and the

Office of Program Planning and Fiscal Management. The institutions of higher education and the State Board for Community College Education are directed to supply, on forms prescribed by the Council, such information as is required to prepare the fiscal notes.

*NEW SECTION.* Sec. 39. 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.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Atwood, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2105.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2105, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 10, excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—38.

Voting nay: Senators Grant, Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Scott, Whetzel, Woodall—10.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 361, by Representatives Adams and Parker (by Department of Social and Health Services request):

Amending the law regarding contracts to furnish medical care to recipients of public assistance.

#### REPORT OF STANDING COMMITTEE

March 29, 1973.

HOUSE BILL NO. 361, amending the law regarding contracts to furnish medical care to recipients of public assistance (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

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

“*NEW SECTION.* Sec. 2. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1973.”

On line 1 of the title, after “public assistance;” and before “amending” strike “and”, and on line 2, after “RCW 74.09.160” and before the period insert “, declaring an emergency and providing an effective date”.

Signed by: Senators Day, Chairman; Clarke, Connor, Herr, Jones, Keefe, Twigg, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were not adopted.

On motion of Senator Day, House Bill No. 361 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.  
Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 361, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Atwood, Bottiger, Durkan—3.

Excused: Senator Talley—1.

HOUSE BILL NO. 361, having received the constitutional 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. 323, by Judiciary Committee (originally sponsored by Representatives Fortson, Clemente, Bender, Hansen and North (Frances):

Making changes to penalties provided for controlled substances offenses.

#### REPORT OF STANDING COMMITTEE

April 6, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, making changes to penalties provided for controlled substances offenses (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 4, section 2, line 15, after "services" and before "for" on line 16, strike "within one year of the effective date of this section".

Signed by: Senators Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Greive, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendment was adopted.

#### MOTION

On motion of Senator Greive, Engrossed Substitute House Bill No. 323, as amended by the Senate, was ordered held for further consideration on Saturday, April 14, 1973.

President Pro Tempore Henry assumed the Chair.

#### SECOND READING

HOUSE BILL NO. 363, by Representatives Adams, Cunningham, Parker and Tilly (by Department of Social and Health Services request):

Changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported.

The bill was read the second time by sections.

Senator Van Hollebeke moved adoption of the following amendment:

On page 1, section 1, line 23, strike "fifteen" and insert "thirty".

Debate ensued.

## POINT OF INQUIRY

Senator Day: "Will Senator Rasmussen yield? Would you object to us either adding this amendment or rejecting it and then moving the bill down?"

Senator Rasmussen: "The amendment you are working on now?"

Senator Day: "Yes."

Senator Rasmussen: "Yes, the amendment we are working on is to exempt the Viet Nam veterans' bonus."

Senator Day: "It would not affect this amendment?"

Senator Rasmussen: "No. Well, I think there is a confusion in the way they have it drawn. I want to check it."

## POINT OF INQUIRY

Senator Fleming: "Would Senator Day yield to a question? Senator Day, I missed some of your testimony as to why the thirty days, but before you explain it again, would you object or was there some objection to twenty days as an oral amendment because I think the fifteen days is just too short?"

Senator Day: "I would not object to any reasonable length of time except that the very purpose of shortening the time, Senator, as I expressed here a couple of minutes ago. If you allow someone who is really on public assistance and who may get some income, like maybe last year's tax check back or something, and he goes ahead and spends his check before he turns this in, he has got thirty days to do that under the present time; then what happens is the department comes in and they deduct for maybe a twelve month period enough money every month from that welfare recipient's check to make up the difference and it works a hardship on that recipient. Now the only reason for setting this at fifteen days is that so the department can get on top of these and make the adjustment in time so that they do not have to then do this pro rata deduction over a period of time and make a hardship on the recipient."

Senator Fleming: "Would you consider twenty days reasonable?"

Senator Day: "Sure."

On motion of Senator Fleming, the following amendment to the amendment by Senator Van Hollebeke was adopted:

Amend the Van Hollebeke amendment to page 1, section 1, line 23 as follows:

Strike "*thirty*" and insert "*twenty*".

## POINT OF INQUIRY

Senator Mardesich: "I am sorry I was off the floor when this amendment was offered and missed some of the debate but what is the logic, if a person on welfare has had a change in his income status in not having him report it within fifteen days?"

Senator Woody: "I will deal with that as if it were a question. What I am pointing out are not the cases of obvious fraud, for example, where they have some additional resources. I am talking about the situation where as lines 9 and 10 say, 'If a recipient receives public assistance for which he is not eligible'. Now that may be where under the federal rules or the state rules he or she is to receive on ADC, let us take a figure, two hundred and fifty-four dollars a month. Instead, due to the department not following the federal rules or the particular intake or a case worker not following our own state rules, that particular recipient gets ten or fifteen dollars more a month. Now that is an overpayment. That is an amount which he is not eligible to receive and for the department's failure to follow either the federal rules or their own rules, a lien can be placed upon that recipient's property. He did not do anything fraudulent. He did not fail to report any earnings that he received. Just an overpayment due to the fault of the department itself. Now the department wants to lift itself up by its bootstraps and require that recipient to report what he did not even know about in fifteen days rather than thirty days."

## MOTION

On motion of Senator Mardesich, House Bill No. 363, together with the pending

amendment by Senator Van Hollebeke, as amended by Senator Fleming, was ordered held for further consideration at the beginning of the second reading calendar for Saturday, April 14, 1973.

#### PERSONAL PRIVILEGE

Senator Day: "I think if you would have looked at section 2 of this bill, Senator Woody, you would have seen where this will also allow the department, let us say there is an aged person in a nursing home who has a little bit of income coming in from a contract and presently under the law they are forced to dispose of that contract at a discount, forcing this person to lose what support he has provided for himself and discharge the contract at a loss and then that money is used up, zap, he is totally on public assistance. Now section 2 would have helped that particular thing. We were speaking to the other part of the bill, which is mostly existing law."

#### SECOND READING

ENGROSSED HOUSE BILL NO. 374, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification of operators of water supply systems.

#### REPORT OF STANDING COMMITTEE

April 2, 1973.

ENGROSSED HOUSE BILL NO. 374, providing for certification of operators of water supply systems (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3 of the engrossed bill, strike all of lines 15 and 16, being the material added by the last amendment by the House Committee on Social and Health Services to page 3, section 3 of the printed bill, and insert "Industrial water supply systems which do not supply water to residences for domestic use and are under the jurisdictional requirements of the William-Steiger Occupational Safety Act of 1970 are excluded from the requirements of this chapter."

On page 3, section 4, line 21 of the engrossed bill, being page 3, section 4, line 23 of the printed bill, after "chapter" and before the period insert ": PROVIDED, That rules and regulations relative to the treatment of water shall be restricted to purification and desalinization thereof".

On page 3, section 4, line 22 of the engrossed bill, being page 3, section 4, line 24 of the printed bill, after "shall" and before "provisions" strike "include, but not be limited to," and insert "be limited to".

On page 7, section 12, line 16 of the engrossed bill, being page 7, section 12, line 18 of the printed bill, after "supply system" and before "unless" insert "required to have a certified operator under the provisions of section 3 of this act".

On page 7, section 12, beginning on line 17 of the engrossed bill, being page 7, section 12, beginning on line 19 of the printed bill, after "the secretary" insert a period and strike the balance of the section.

Signed by: Senators Day, Chairman; Connor, Francis, Greive, Herr, Jones, Murray, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, Engrossed House Bill No. 374, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 374, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 18; nays, 28; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Herr, Keefe, Marsh, Murray, Peterson (Ted), Sandison, Washington, Whetzel—18.

Voting nay: Senators Atwood, Canfield, Clarke, Day, Francis, Guess, Henry, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall—28.

Absent or not voting: Senators Jones, Woody—2.

Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 374, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

## NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Day served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 374, as amended by the Senate, failed to pass.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, with the following amendments:

On page 3, section 1, beginning on line 22 of the engrossed bill, being line 4 of the Senate amendment by Senator Lewis (Harry), after "application," strike all the material down to and including "[health]" on line 29, being the last line of the Senate amendment, and insert: "Upon the admission of a voluntary patient to a private institution, hospital, or sanitarium, the person in charge shall immediately forward to the office of the department of *social and health services* a record of the voluntary patient showing the name, residence, age, sex, place of birth, occupation, marital status, date of admission to the institution, hospital, or sanitarium, and such other information as may be required by rule of the department of *social and health services*."

On page 5, section 3, strike all of lines 29 and 30, and insert: "[who has maintained his domiciliary residence within this state for a period of two years immediately preceding commitment]."

On page 9, section 7, line 17, after "PROVIDED," insert "That a physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility:"

On page 10, section 11, line 28, after "confinement" strike "or" and insert "resulting from".

On page 11, section 13, line 11, before "days" strike "Ninety" and insert "One hundred twenty".

On page 11, section 15, line 19, before "person" strike "Any" and insert "In addition to the responsibility provided for by RCW 71.02.411, any".

On page 16, section 25, line 33, after "in" strike "the district justice court in the county seat or in the superior court" and insert "a district justice court or in a superior court, either by a judge or court commissioner thereof,".

On page 17, section 25, line 31, after "and" strike the balance of line 31 and all of line 32, and insert "rules promulgated by the supreme court."

On page 18, section 26, line 20 after "shall" strike "be responsible for transferring such person" and insert "assure that such person is transferred".

On page 18, section 27, line 25, after "inventory" insert "and safeguard".

On page 20, section 29, line 15, after "finds" strike "that it is more probable than not" and insert "by a preponderance of the evidence".

On page 23, section 35, line 17, after "appoint a" insert "reasonably available".

On page 25, section 37, line 32, after "above." insert "Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment."

On page 28, section 40, line 17 after "superintendent" insert "of a state hospital".

On page 28, section 41, line 30, after "not" strike "specifically" and after "chapter" and before the period, insert "and which follow from such denial by necessary implication".

On page 33, section 52, line 28, after "appoint" strike "an" and insert "a reasonably available".

On page 37, section 60, line 4, after "funding." insert "The state shall provide financial assistance to the counties to enable the counties to meet all increased costs, if any, to the counties resulting from their administration of the provisions of this 1973 amendatory act.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Francis, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2336.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2336, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 3; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—41.

Voting nay: Senators Guess, Mattingly, Twigg—3.

Absent or not voting: Senators Durkan, Jones, Lewis (Harry), Woody—4.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2190, with the following amendment:

On page 2, section 3, beginning on line 18, after "of the" strike all matter down to and including "election" on line 19 and insert "total number of names of persons listed as registered voters within the city on the day of the last preceding city general election", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Grant, the Senate concurred in the House amendment to Senate Bill No. 2190.



## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2190, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel—40.

Voting nay: Senators Guess, Matson, Twigg, Woodall—4.

Absent or not voting: Senators Connor, Day, Jones, Woody—4.

Excused: Senator Talley—1.

SENATE BILL NO. 2190, 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 PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 2066,

SENATE BILL NO. 2088,

SENATE BILL NO. 2183,

SENATE BILL NO. 2190,

SUBSTITUTE SENATE BILL NO. 2250,

SENATE BILL NO. 2270,

SUBSTITUTE SENATE BILL NO. 2336,

SENATE BILL NO. 2337,

SENATE BILL NO. 2513.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has receded from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, to page 3, section 4, line 5; page 6, section 7, lines 4 and 5; page 6, section 8, line 20; page 13, section 23, line 33; page 14, section 23, line 11; page 15, section 24, line 21; page 20, section 33, line 26; page 26, beginning on line 31, and has passed the bill without the amendments., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2226, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—40.

Voting nay: Senators Atwood, Guess, Matson, Metcalf, Newschwander, Twigg, Woodall—7.

Absent or not voting: Senator Grant—1.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, as amended by the House,

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

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2256, with the following amendments:

In line 3 of the title, after "RCW 13.06.050;" and before "and" insert "adding a new section to chapter 35.82 RCW;"

On page 4 after section 1 add a new section as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 35.82 RCW a new section to read as follows:

Housing authorities of first class counties created under this chapter may establish and operate group homes or halfway houses to serve juveniles released from state juvenile or correctional institutions, or to serve the developmentally disabled as defined in 42 U.S.C. 2670, 85 Stat. 1316. Such authorities may contract for the operation of facilities so established, with qualified nonprofit organizations as agent of the authority.

Action under this section shall be taken by the authority only after a public hearing as provided by chapter 42.30 RCW. In exercising this power the authority shall not be empowered to acquire property by eminent domain, and the facilities established shall comply with all zoning, building, fire, and health regulations and procedures applicable in the locality. Any facilities in which medical care is given shall comply with federal standards for skilled nursing care facilities and any facilities in which no medical care is given shall comply with federal standards for intermediate care facilities. The authorization contained in this section shall permit such action by housing authorities only during the period from July 1, 1973 through February 15, 1974, unless extended by a subsequent act of the legislature: PROVIDED, That any projects commenced during that period shall continue and shall be valid and the housing authorities may complete, operate, or contract for the operation of such facilities."

Re-number the remaining section consecutively., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Marsh moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2256.

Debate ensued.

#### POINT OF ORDER

Senator Lewis (Harry): "I raise the question of scope and object on the House amendment. Mr. President, this bill implements the law as far as juvenile probation services are concerned and the amendment as I understand it allows housing authorities to establish halfway houses to serve juveniles and it substantially changes the objective of the original bill. I think if you look at the amendment and the purpose of the sponsors of the bill as it passed the Senate and the objective of the amendment substantially changes that objective of the sponsors.

#### POINT OF INQUIRY

Senator Bailey: "Mr. President, I would like to ask a question. I think the way to solve this would be to refuse to take the House amendments. If you accept Senator Lewis' suggestion, you are going to kill the bill and then we will have nothing. We should not turn it down for scope and object. I think we should refuse to accept the House amendments and ask them to recede therefrom."

Senator Lewis (Harry): "Senator Bailey, in response to your question, if the President

would so rule on scope and object, I think it would provide justification for a motion then following."

#### REMARKS BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "An amendment by the House to a Senate bill that changes the scope and object, the bill takes the course of a new bill and would be referred to committee. Do you still wish to raise the point?"

#### MOTION

Senator Lewis (Harry) moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 2256 and ask the House to recede therefrom.

Debate ensued.

#### POINT OF ORDER

Senator Bottiger: "Would the Chair rule on the question or if the motion to concur does not avail, does that still leave room for a motion to recede and request the House to recede from its amendment?"

#### RULING BY PRESIDENT PRO TEMPORE HENRY

President Pro Tempore Henry: "That becomes automatic, Senator Bottiger."

#### MOTION

On motion of Senator Mardesich, the House message on Engrossed Senate Bill No. 2256, and the pending motions by Senator Marsh and Lewis (Harry), were ordered held on the concurrence calendar for Saturday, April 14, 1973.

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2490, with the following amendments:

On page 8, immediately following section 15, add a new section as follows:

*"NEW SECTION.* Sec. 16. Any person who has been injured as a result of a "criminal act" as herein defined on or after January 1, 1972 up to the effective date of this 1973 act, who would otherwise be eligible for benefits under this 1973 act, may for a period of ninety days from the effective date of this 1973 act, file a claim for benefits with the department on a form provided by the department. The department shall investigate and review such claims, and, within two hundred ten days of the effective date of this 1973 act, shall report to the legislative budget committee and the governor its findings and recommendations as to such claims, along with a statement as to what special legislative relief, if any, the department recommends should be provided."

Renumber the remaining sections consecutively.

On page 8, line 18 of the engrossed and printed bills, after "through" strike "17" and insert "18", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Durkan, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2490.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2490, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Connor—1.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 2490, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2833, with the following amendments:

In line 1 of the title after "Relating to" strike the remainder of the title and insert as follows:

"shoreline management; amending section 3, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.030; amending section 18, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.180; and adding a new section to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW."

On page 5 add new sections following section 1 as follows:

"Sec. 2. Section 18, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.180 are each amended to read as follows:

(1) Any person aggrieved by the granting or denying of a permit on shorelines of the state, or rescinding a permit pursuant to RCW 90.58.150 may seek review from the shorelines hearings board by filing a request for the same within thirty days of receipt of the final order. 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 forty-five days from the date of the filing of said copies by the requestor.

(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 appeals board and the appropriate local government within forty-five days from the date the final order was filed as provided in subsection (5) of RCW 90.58.140.

(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. [The provisions of chapter 43.21B RCW and the regulations adopted pursuant thereto by the pollution control hearings board, insofar as they are not inconsistent with chapter 34.04 RCW, relating to the procedures for the conduct of hearings and judicial review thereof, shall be applicable to all requests for review as provided for in subsections (1) and (2) of this

section.] *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, 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:

(i) is clearly erroneous in light of the policy of this chapter; or

(ii) constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or

(iii) is arbitrary and capricious; or

(iv) was developed without fully considering and evaluating all proposed master programs submitted to the department by the local government; or

(v) was not adopted in accordance with required procedures; the board shall enter a final decision declaring the program invalid, remanding the master program 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. Unless the board makes one or more of the determinations as hereinbefore provided, the board shall find the master program 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.

*NEW SECTION.* Sec. 3. There is added to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW a new section to read as follows:

The shorelines hearings board may adopt rules and regulations governing the administrative practice and procedure in and before the board.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Durkan, the Senate concurred in the House amendments to Senate Bill No. 2833.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2833, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison,

Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Voting nay: Senators Jones, Scott—2.

Absent or not voting: Senators Bottiger, Connor—2.

Excused: Senator Talley—1.

SENATE BILL NO. 2833, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2835, with the following amendment:

On page 1, beginning on line 18 of the engrossed bill, strike all of section 2, added by the amendment by Senator Guess as amended by Senator Rasmussen, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Rasmussen, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2835.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2835, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Connor—1.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 2835, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2847, with the following amendments:

On page 1, line 1 of the title after "control;" strike "and" and on line 3 after "RCW" insert "; and declaring an emergency".

On page 1, beginning on line 16 insert a new section as follows:

"*NEW SECTION.* Sec. 2. This 1973 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.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Ridder, the Senate concurred in the House amendments to Senate Bill No. 2847.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2847, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 6; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—41.

Voting nay: Senators Canfield, Guess, Marsh, Metcalf, Peterson (Ted), Woodall—6.

Absent or not voting: Senator Connor—1.

Excused: Senator Talley—1.

SENATE BILL NO. 2847, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2918, with the following amendments:

On page 2, section 4, line 16, after "April" strike "15" and insert "1".

On page 3, section 6, line 3, beginning with "The" strike all material down to and including the period in line 9 and insert the following:

"There is hereby created a board of review to consist of three members: one of whom shall be appointed by the speaker of the house of representatives, one of whom shall be appointed by the president of the senate and one of whom shall be appointed by the governor.

The board of review shall hear and pass on applications for commercial herring licenses in each hardship or disputed case. The provisions of chapter 34.04 RCW, the administrative procedure act, shall apply to all actions taken by the board of review created by this section.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

Debate ensued.

## MOTION

On motion of Senator Peterson (Lowell), the Senate concurred in the House amendments to Senate Bill No. 2918.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2918, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—41.

Voting nay: Senators Rasmussen, Whetzel—2.

Absent or not voting: Senators Bailey, Connor, Durkan, Fleming, Odegaard—5.

Excused: Senator Talley—1.

SENATE BILL NO. 2918, 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 HOUSE

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 638, except the following amendment:

On page 10, section 9, following line 17, insert a new subsection as follows:

“(3) The provisions of this section shall not operate to prohibit or require modification of the terms of any management services contract or agreement in effect on January 1, 1973 between any debenture company registered pursuant to chapter 21.20 RCW on January 1, 1973, and any affiliated person, firm or corporation, so long as such debenture company does not pay any salaries or wages to its directors, officers or employees and the terms of such management services contract remain in effect without modification except when approval has been given by the director of the department of motor vehicles or his administrator of securities upon recommendation by the company’s board of directors.” and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate receded from its amendment to page 10, section 9, following line 17 inserting a new subsection.

#### ROLL CALL

The Secretary called the roll and Engrossed House Bill No. 638, as amended by the Senate, passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Francis, Grant, Greive, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Absent or not voting: Senators Connor, Durkan, Fleming, Gardner, Herr, Odegaard—6.

Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 638, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 362, by Representatives Adams, Cunningham and Parker (by Department of Social and Health Services request):

Subrogating the department of social and health services to certain rights of persons who receive public assistance.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the following amendment by Senators Rasmussen, Guess, Henry and Woodall was adopted:



On page 1, section 1, line 24 after "section" and before the period insert " : PROVIDED, FURTHER, That no claim for payment under chapter 73.34 RCW shall be subject to garnishment, attachment, levy, or execution".

On motion of Senator Rasmussen, the following amendment was adopted:

On page 2, after section 2, add a new section 3 to read as follows:

"NEW SECTION. Sec. 3. There is added to chapter 74.04 RCW a new section to read as follows:

No payment or claim for payment pursuant to chapter 73.34 RCW shall be treated as income for purposes of this chapter."

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Newschwander: "Senator Rasmussen, will you yield to a question? Have you checked with the department to see if there is any conflict as far as the federals are concerned in exempting this Vietnam bonus as part of income?"

Senator Rasmussen: "No, I have not, but if there is I am sure that it will not be effective. At least we will have done our part."

Senator Newschwander: "My only concern is that you are going to have a conflict and the state is going to lose the federal share if you exempt this money. I had thought this bill had been held over until tomorrow morning and I was having one of our attorneys check with the department. We were going to have an answer in the morning. I think it would not be too bad an idea to hold this bill over until morning and I will then know at that time whether there is a conflict."

Senator Rasmussen: "Mr. President, in regard to that point I would say that we can pass the bill, send it over to the House for concurrence, and if at that time we find it is defective that the House can refuse to concur and we can pull the amendment off."

#### MOTION

On motion of Senator Newschwander, House Bill No. 362, as amended by the Senate, was ordered held for further consideration on Saturday, April 14, 1973 on a rising vote.

#### SECOND READING

HOUSE BILL NO. 420, by Representatives Savage, Morrison and Gallagher (by Department of Employment Security request):

Making certain administrative changes in unemployment compensation.

The bill was read the second time by sections.

On motion of Senator Grant, House Bill No. 420 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 420, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-46.

Voting nay: Senator Guess-1.

Absent or not voting: Senator Odegaard-1.

Excused: Senator Talley-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. 422, by Representatives Bausch and Kilbury (by Department of Labor and Industries request):

Changing the name of the division of safety, department of labor and industries to the division of industrial health and safety.

The bill was read the second time by sections.

On motion of Senator Ridder, House Bill No. 422 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 422, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senator Odegaard—1.

Excused: Senator Talley—1.

HOUSE BILL NO. 422, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 648, by Representatives Thompson, Kelley and May:  
Implementing the law of industrial insurance.

#### MOTION

Senator Lewis (Harry) moved that House Bill No. 648 be held on the second reading calendar for Saturday, April 14, 1973.

Debate ensued.

The motion by Senator Lewis (Harry) carried. House Bill No. 648 was ordered to hold its place on the second reading calendar for Saturday, April 14, 1973.

#### MOTION

On motion of Senator Peterson (Lowell), Substitute House Bill No. 429 was ordered placed in the middle of the second reading calendar for Saturday, April 14, 1973.

#### SECOND READING

HOUSE BILL NO. 442, by Representatives Conner, Eikenberry, Ceccarelli, Chatalas, Bagnariol, Benitz, Freeman, Garrett, Hansen, Hendricks, Leckenby, Matthews, North (Lois), Paris, Polk, Smythe and Tilly:

Granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty.

## REPORT OF STANDING COMMITTEE

March 27, 1973.

HOUSE BILL NO. 442, granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty (reported by Committee on Higher Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 2, after "*Children*" insert "*after the age of 19 years*".

On page 2, section 2, line 17, after "*children*" insert "*after the age of 19 years*".

On page 2, section 3, line 33, after "*children*" insert "*after the age of 19 years*".

On page 3, add a new section following section 4 as follows:

"*NEW SECTION. Sec. 5. For the purposes of this 1973 amendatory act the phrase "totally disabled" as used in sections 1, 2 and 3 shall mean a person who has become totally and permanently disabled for life by bodily injury or disease, and is thereby prevented from performing any occupation or gainful pursuit.*"

Signed by: Senators Sandison, Chairman; Donohue, Durkan, Marsh.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendments were adopted.

On motion of Senator Sandison, House Bill No. 442, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Bottiger: "Would Senator Sandison yield to a question? Senator Sandison, in your explanation of the amendment, does this prevent a firefighter or a policeman who might have been disabled from going out and getting other employment? Maybe he has a minor disability from his activities. Would he still be able to, say own a gas station or something of that nature?"

Senator Sandison: "No, it was the intent of it that because so many people were retiring on disability the language said 'A person has become totally and permanently disabled for life by bodily injury or disease and thereby prevented from performing any occupation or gainful pursuit.'"

Senator Bottiger: "Thank you."

## POINT OF INQUIRY

Senator Bailey: "Will Senator Sandison yield? Senator, you said that this is for the four-year colleges and the community colleges for free tuition up to the age of nineteen. Now how many are going to go into college before nineteen? It looks like a pretty cheap contribution."

Senator Sandison: "We have done this with the state patrol."

Senator Bailey: "I mean, is the age nineteen the age of the student when the parent becomes disabled, or the maximum age of the student to receive assistance?"

Senator Sandison: "No, in other words, the father becomes disabled, this allows the son or daughter to get his start in college."

Senator Bailey: "But up to the age nineteen? I do not follow you."

Senator Sandison: "After the age of nineteen then, of course, he would no longer be eligible. It is very minimal benefit."

## POINT OF INQUIRY

Senator Henry: "For further clarification, if they started at nineteen, then do they get to continue their four-year college?"

Senator Sandison: "No, they would not."

Senator Henry: "That is what I was trying to find out. It does practically nothing."

## MOTION

On motion of Senator Bottiger, House Bill No. 442, as amended by the Senate, was returned to second reading.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bottiger moved that the Senate reconsider the vote by which the committee amendments to House Bill No. 442 were adopted.  
The motion carried.

## MOTION

On motion of Senator Bottiger, the committee amendments to House Bill No. 442 were not adopted.  
Debate ensued.

## POINT OF INQUIRY

Senator Mardesich: "Would there be no limitation under the House measure? In other words, could someone stay in school for fifteen years, as I have seen some people do?"

Senator Bottiger: "Senator Mardesich, I think you probably have a point. Maybe we ought to limit it to four years of college. If we can take this amendment off we will hold it for second reading and prepare an amendment to that effect."

## POINT OF INQUIRY

Senator Canfield: "Will Senator Sandison yield? Senator Sandison, remember the bill on the state patrol?"

Senator Sandison: "Yes."

Senator Canfield: "I am just wondering why the benefit for the children in these particular cases should not be roughly comparable to the benefits given to the state patrol children if both are killed in line of duty?"

Senator Sandison: "The only problem was because we did have new language in and we were dealing with a much larger mass of people, if you recall there are very few state patrolmen. We were not sure about this and that is why we finally settled on a definite figure."

Senator Canfield: "I recognize that and we want to determine the fiscal impact, but if we are trying to do something for the children why then probably the age qualification should be roughly the same, it would appear to me. I do think we ought to determine the fiscal impact. You remember the age on those children was, I believe, twenty years and eleven months."

Senator Sandison: "Twenty years and eleven months, yes, and I think that is Senator Bottiger's amendment."

## MOTION

On motion of Senator Sandison, House Bill No. 442 was ordered held for further consideration after Engrossed House Bill No. 485.

## SECOND READING

HOUSE BILL NO. 444, by Representatives Kraabel, Nelson, O'Brien, Rabel, Patterson, Pardini, May, Wojahn, Martinis and Freeman:

Authorizing cities and towns to expend a portion of the motor vehicle fuel tax for city street purposes.

The bill was read the second time by sections.

On motion of Senator Walgren, House Bill No. 444 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Murray: "Will Senator Whetzel yield to a question? Senator Whetzel, what effect do you think this will have on a city like the city of Seattle if we pass House Bill No. 444?"

Senator Whetzel: "Senator Murray, the purpose of this bill and the intent, as I see it, is to give the city some of this money to assist them in catching up on the deferred maintenance in patching the streets, taking care of bridges that have gotten out of repair and such so that these things they have gotten behind on they can handle so that some of the fine new freeways and some of the arterials that have been built that the people will in turn be able to drive off those onto city streets that will be properly maintained and safe to drive on."

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Guess yield to a question? Senator Guess, what is that half-cent gas tax, what is the limitation on it now for city streets?"

Senator Guess: "For arterial streets that are built according to the priority system that we passed in 1965."

Senator Rasmussen: "And then for the rest of the streets, they are usually improved with LID's?"

Senator Guess: "They are usually improved with LID's and this money will not go on LID's. Should not. But they will do it now."

Senator Rasmussen: "You think they will fritter it away then?"

Senator Guess: "I think they will fritter it away."

Senator Rasmussen: "I think you are probably right."

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 444, and the bill passed the Senate by the following vote: Yeas, 37; nays, 7; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Washington, Whetzel, Woody—37.

Voting nay: Senators Guess, Mattingly, Metcalf, Rasmussen, Twigg, Wanamaker, Woodall—7.

Absent or not voting: Senators Connor, Francis, Matson, Peterson (Lowell)—4.

Excused: Senator Talley—1.

HOUSE BILL NO. 444, having received the constitutional 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. 485, by Representatives Bagnariol and Pardini:  
Implementing the laws of insurance rates.

## REPORT OF STANDING COMMITTEE

April 2, 1973.

ENGROSSED HOUSE BILL NO. 485, implementing the laws of insurance rates (reported by Committee on Financial Institutions):

MAJORITY recommendation: Do pass with the following amendment:

Amend the amendment by the House Committee on Financial Institutions on page 21, section 6, line 26, as follows:

On line 17 of the amendment, being page 22, section 6, line 2 of the engrossed bill, after "*RCW 18.12.150(3)(b)*" and before "*for*" strike "*(2)*" and insert "*(ii)*".

Signed by: Senators Dore, Chairman; Clarke, Jones, Walgren.

The bill was read the second time by sections.

On motion of Senator Dore, the committee amendment was adopted.

On motion of Senator Dore, Engrossed House Bill No. 485, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 485, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Atwood, Henry, Lewis (Harry), Peterson (Lowell)—4.  
Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 485, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 442, by Representatives Conner, Eikenberry, Ceccarelli, Chatalas, Bagnariol, Benitz, Freeman, Garrett, Hansen, Hendricks, Leckenby, Matthews, North (Lois), Paris, Polk, Smythe and Tilly:

Granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty.

The Senate resumed consideration of House Bill No. 442. On reconsideration, the committee amendments were not adopted earlier today.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bottiger moved that the Senate reconsider the vote by which the committee amendments to House Bill No. 442 were not adopted.

The motion carried.

#### MOTIONS

On motion of Senator Bottiger, the committee amendments were adopted.

On motion of Senator Sandison, House Bill No. 442, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 442, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-43.

Voting nay: Senators Twigg and Woodall-2.

Absent or not voting: Senators Connor, Lewis (Harry), Peterson (Lowell)-3.

Excused: Senator Talley-1.

HOUSE BILL NO. 442, 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.

ENGROSSED HOUSE BILL NO. 531, by Representatives Bagnariol and Pardini:

Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership.

The bill was read the second time by sections.

On motion of Senator Day, Engrossed House Bill No. 531 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 531, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Whetzel, Woodall, Woody-43.

Absent or not voting: Senators Connor, Dore, Peterson (Lowell), Wanamaker, Washington-5.

Excused: Senator Talley-1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 564, by Representatives Kilbury and Nelson:

Providing alternate methods for petitioning a legislative body to call an annexation election.

The bill was read the second time by sections.

On motion of Senator Fleming, Engrossed House Bill No. 564 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Fleming yield to a question? Senator Fleming, what counties does this affect?"

Senator Fleming: "I do not know the particular counties that it affects. There might be someone who knows this. I did discuss this with the county people and some of the city people and they indicated to me at that point in time, but I am not sure."

Senator Rasmussen: "I am wondering, does it affect A-class counties?"

Senator Fleming: "No, I do not think so."

Senator Rasmussen: "Does anybody else know?"

## MOTIONS

On motion of Senator Rasmussen, Engrossed House Bill No. 564 was held at the end of the third reading calendar for today.

On motion of Senator Mardesich, Substitute House Bill No. 174 was ordered placed at the beginning of the second reading calendar for Saturday, April 14, 1973.

## SECOND READING

HOUSE BILL NO. 698, by Representatives King, Brown and Valle:

Implementing the law relating to prevention and correction of certain election frauds and errors.

The bill was read the second time by sections.

On motion of Senator Grant, House Bill No. 698 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 698, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Connor, Fleming, Newschwander, Washington—4.

Excused: Senator Talley—1.

HOUSE BILL NO. 698, having received the 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. 731, by Representatives Paris, Adams, May and Matthews:  
Expanding nursing home treatment authority.

## REPORT OF STANDING COMMITTEE

April 9, 1973.

HOUSE BILL NO. 731, expanding nursing home treatment authority (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 8, after "chapter" and before the period insert "*PROVIDED, That any nursing home providing psychiatric treatment shall, with respect to patients receiving such treatment, comply with the provisions of RCW 71.12.560, 71.12.570, and 71.12.580*".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Connor, Jones, Keefe, Murray, Twigg.

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment.

## POINT OF INQUIRY

Senator Woody: "Would Senator Day yield? What do those RCW 71.12.560, 570 and 580 provide, in what area do they provide?"

Senator Day: "I am not positive."



Senator Woody: "Looking at the main portion of the bill, it would permit to be in nursing homes people requiring psychiatric treatment. The old law said that if they could be in . . ."

Senator Day: "That is correct and, of course, then there are some amendments of definitions in the second part of the bill is the whole bill. I think what this does is make them comply with the provisions relative to the maintenance and detaining of a patient, but I am not positive, Senator. It was explained at the committee hearing. I think it has something to do with reporting."

#### REMARKS BY SENATOR JONES

Senator Jones: "You are correct, it is the reporting procedure."

The motion by Senator Day carried and the committee amendment was adopted.

On motion of Senator Day, House Bill No. 731, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 731, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—46.

Voting nay: Senator Woody—1.

Absent or not voting: Senator Connor—1.

Excused: Senator Talley—1.

HOUSE BILL NO. 731, 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.

ENGROSSED HOUSE BILL NO. 766, by Representatives Kopet, Kuehnle, Hurley and Hendricks:

Providing for the regulation of legend drugs.

#### REPORT OF STANDING COMMITTEE

April 9, 1973.

ENGROSSED HOUSE BILL NO. 766, providing for the regulation of legend drugs (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 7, beginning on line 24 of the engrossed bill, being page 5, section 8, beginning on line 27 of the printed bill, strike all of subsection (4) and renumber the remaining subsections consecutively.

On page 5, section 7, line 26 of the engrossed bill, being page 5, section 8, line 29 of the printed bill, after "section" and before "of this act" strike "5" and insert "4".

On page 5, section 7, line 28 of the engrossed bill, being page 5, section 8, line 31 of the printed bill, after "section" and before "of this act" strike "6" and insert "5".

On page 6, section 9, beginning on line 5 of the engrossed bill, being page 6, section 10, beginning on line 8 of the printed bill, strike all of subsection (2).

Beginning on line 3 of the title of the engrossed and printed bill, after "RCW

69.40.064;" strike all of the material down to and including "69.40.065;" on line 5.

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Keefe, Murray, Twigg, Woody.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments to page 5 were adopted.

On motion of Senator Day, the committee amendment to page 6 was not adopted.

On motion of Senator Day, the committee amendment to the title was not adopted.

On motion of Senator Day, Engrossed House Bill No. 766, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 766, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—44.

Voting nay: Senator Woody—1.

Absent or not voting: Senators Bottiger, Connor, Dore—3.

Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 766, 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 Senator Lewis (Harry), Substitute House Bill No. 903 was ordered to hold its place on the second reading calendar for Saturday, April 14, 1973.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 928, by Representatives Thompson, Pardini and Gaspard:

Implementing the state liquor laws.

The bill was read the second time by sections.

Senator Metcalf moved adoption of the following amendment:

On page 6, section 2, line 25 reinstate the stricken language on lines 25, 26 and 27 and strike the underlined material on lines 28 and 29.

Debate ensued.

The motion by Senator Metcalf failed and the amendment was not adopted.

Senator Metcalf moved adoption of the following amendments:

On page 10, section 3, lines 13 through 15 strike the underlined material on lines 14 and 15 and reinstate the stricken language on lines 13 and 14.

On page 19, section 10, line 16 strike lines 16 and 17.

Debate ensued.

The motion by Senator Metcalf failed and the amendments were not adopted.

On motion of Senator Mardesich, Engrossed House Bill No. 928 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 928, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Bottiger, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Woodall—29.

Voting nay: Senators Atwood, Canfield, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Washington, Whetzel, Woody—18.

Absent or not voting: Senator Murray—1.

Excused: Senator Talley—1.

ENGROSSED HOUSE BILL NO. 928, having received the 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. 1008, by Representatives Bagnariol, Charette and Shinpoch:

Making an appropriation for publication of the session laws.

The bill was read the second time by sections.

On motion of Senator Donohue, House Bill No. 1008 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1008, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Odegaard, Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Murray, Newschwander, Peterson (Lowell), Peterson (Ted)—4.

Excused: Senator Talley—1.

HOUSE BILL NO. 1008, having received the 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. 1034, by Committee on Constitution and Elections (originally sponsored by Representatives Goltz, Brown, King, North (Lois) and Savage):

Providing for obtaining of voter lists.

The bill was read the second time by sections.

On motion of Senator Grant, Substitute House Bill No. 1034 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Canfield yield? Senator Canfield, I am speaking for Senator Ridder and I am thinking about the little people. Is not it true that the Republican Party has all these voter lists computerized now and you have access to this and this is the reason you are opposing this bill?"

Senator Canfield: "I do not like computers either, Senator Peterson."

## POINT OF INQUIRY

Senator Fleming: "Would Senator Mattingly yield? Senator Mattingly, do you have one of these lists for your district?"

Senator Mattingly: "No, I do not. Would you like to give me one?"

Senator Fleming: "Let us pass this bill. Thank you, Senator Mattingly."

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1034, and the bill passed the Senate by the following vote: Yeas, 32; nays, 14; absent or not voting, 2; excused, 1.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Marsh, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Whetzel, Woody—32.

Voting nay: Senators Atwood, Canfield, Clarke, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Newschwander, Peterson (Ted), Scott, Twigg, Wanamaker, Woodall—14.

Absent or not voting: Senators Connor, Sellar—2.

Excused: Senator Talley—1.

SUBSTITUTE HOUSE BILL NO. 1034, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, by Committee on Agriculture (originally sponsored by Representatives Van Dyk, Charnley, Rabel, Goltz, Kilbury and Lysen):

Providing for the regulation of perishable packaged food goods.

## REPORT OF STANDING COMMITTEE

April 10, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, providing for the regulation of perishable packaged food goods (reported by Committee on Agriculture):

MAJORITY recommendation: Do pass with the following amendments:

Strike the House amendment on page 2, section 3, line 9 by Representatives Hansey, Curtis and North (Lois) of the printed bill, being page 2, section 3, line 10 of the engrossed bill, after "health, and" strike "if they are separated from other food".

Strike the House amendment on page 2, section 5, line 24 by Representatives Hansey and North (Lois) of the printed bill, being page 2, section 5, line 27 of the engrossed bill which inserted a new paragraph as follows:

"The commission of any act or practice prohibited by sections 2 or 3 is hereby declared to be an unfair and deceptive practice and an unfair method of competition in the conduct of trade and commerce for the purpose of the application of the consumer protection act in chapter 19.86 RCW."

Signed by: Senators Jolly, Chairman; Day, Sellar, Twigg.

The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, Engrossed Substitute House Bill No. 1055, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1055, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Mardesich, Marsh, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-40.

Voting nay: Senators Guess, Lewis (Harry), Lewis (Bob), Mattingly, Newschwander, Twigg-6.

Absent or not voting: Senators Connor, Day-2.

Excused: Senator Talley-1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, 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.

HOUSE BILL NO. 1099, by Representative Perry:

Providing that the requirement of union membership for all members of a bargaining unit may be removed by majority vote of the entire membership.

The bill was read the second time by sections.

On motion of Senator Rasmussen, House Bill No. 1099 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1099, and the bill passed the Senate by the following vote: Yeas, 27; nays, 17; absent or not voting, 4; excused, 1.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Wanamaker, Woody-27.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Washington, Whetzel-17.

Absent or not voting: Senators Connor, Mardesich, Walgren, Woodall-4.

Excused: Senator Talley-1.

HOUSE BILL NO. 1099, having received the 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. 1105, by Representatives Luders, Zimmerman, Kilbury and Johnson:

Permitting the use of a short form for filing water rights claims.

The bill was read the second time by sections.

On motion of Senator Washington, House Bill No. 1105 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1105, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-45.

Absent or not voting: Senators Connor, Jones, Woodall—3.  
Excused: Senator Talley—1.

HOUSE BILL NO. 1105, having received the 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. 18, by Representatives Luders, Bagnariol, Adams, Perry, Charette, Kopet, Barden, Kuehnle, Knowles, Curtis, Randall, Shinpoch, Kilbury, Schumaker, Bauer, Hurley, Van Dyk, Polk, Cunningham, Garrett, Hendricks, Gilleland, Ceccarelli and Laughlin:

Resolving that the department of social and health services proceed with a work incentive program.

The resolution was read the second time in full.

On motion of Senator Day, House Concurrent Resolution No. 18 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

HOUSE JOINT MEMORIAL NO. 1, by Representative Parker (by State Militia request):

Providing that the 9th Infantry Division be designated "The Northwest's Own".

The memorial was read the second time in full.

On motion of Senator Rasmussen, House Joint Memorial No. 1 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 1, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Voting nay: Senator Scott—1.

Absent or not voting: Senator Connor—1.

Excused: Senator Talley—1.

HOUSE JOINT MEMORIAL NO. 1, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2119, by Senators Sandison, Lewis (Harry), Stortini, Marsh, Gardner, Canfield, Keefe, Donohue and Talley (by Executive and Joint Committee on Higher Education request):

Authorizing retirement plans, including old age annuities, for faculty members and other employees of community colleges.

#### REPORT OF STANDING COMMITTEE

April 7, 1973.

SENATE BILL NO. 2119, authorizing retirement plans, including old age annuities, for faculty members and other employees of community colleges (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 1, line 3, after "two" and before "years", insert "consecutive".

Beginning on page 4, strike all of section 5 and renumber the remaining sections consecutively.

On page 8, line 14, after "*NEW SECTION. Sec. 10.*" strike all of the material down to the period and insert "The sum of \$1,611,650 is hereby appropriated from the general fund for the purpose of carrying out this 1973 amendatory act, to be allocated by the governor to the institutions of higher education".

On page 8, add a new section following section 10 as follows:

"*NEW SECTION. Sec. 11.* This 1973 amendatory act shall take effect on July 1, 1974."

In line 11 of the title after "28B.10.410;" strike everything down to and including "28B.10.417;" on line 15.

In line 27 of the title after "28B.50.575;" strike "declaring an emergency" and insert "making an appropriation".

Signed by: Senators Donohue, Vice Chairman; Atwood, Canfield, Fleming, Marsh, Metcalf, Peterson (Ted), Ridder, Sandison, Scott.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendments, by the Committee on Higher Education and the Committee on Ways and Means were adopted.

On motion of Senator Ridder, Engrossed Senate Bill No. 2119 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Guess: "Will Senator Ridder yield? Senator Ridder, how much unfunded liability are we creating by this act?"

Senator Ridder: "Well, that is a pretty free word, unfunded liability. In actuality we are putting in one million one hundred, a million dollars here to fund this. In actuality it is not a question of unfunded liability that is going to go on and on and on. It is a question of breeding supplements to, shall we say, catch up in this annuity program so that eventually the annuity program can carry itself, and so we feel that this is not going to be necessarily an ongoing program. We feel that it will not be."

Senator Guess: "What was the original cost, three million two hundred thousand?"

Senator Ridder: "Right. We cut it in half, one-sixth."

Senator Guess: "All right. For the next biennium how much is it going to cost?"

Senator Ridder: "We are just funding it for this biennium. The original funding for next biennium . . ."

Senator Guess: "We have got to come up with that then?"

Senator Ridder: "I think that this will work itself out by that time. The idea is to provide a supplemental program now to get into the . . . let us put it this way. I would presume that the higher educational institutions will have to prioritize their money in some way to fund this in the coming biennium. We have not looked forward to that at this time. We had not planned on doing this at this time and I am sure that they are going to work it out at that time."

Senator Guess: "In other words, it is going to make it more difficult to meet the costs next time for what we are doing here tonight."

Senator Ridder: "I would like to explain, Senator Guess. In this situation we are raising contribution rates. We are enabling them to put more money into their annuity system so that they can begin to fund themselves. Over the past years the funding, the contribution level of the higher education program has been extremely low. And as you know, this is an annuity program, so you build up your annuity until you leave, you take that annuity out and then prorate it over your actuarial life that you have left. Well, in this case we provide for them to raise that contribution level so that now they can put more money into those annuities and with this supplement we can get them out at this level, the two percent level and then we feel that this will begin then to pick up and phase in."

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Ridder yield to a question? What rate of increase did you say we raised the employees to?"

Senator Ridder: "The new system is, over fifty is ten percent, seven and one-half percent below that. This is sufficient to the other systems."

Senator Rasmussen: "How much has the state been paying into this all these years?"

Senator Ridder: "The regents set aside the contribution level that is equal to that which is contributed by the professor or the person in higher education so it is ten-ten or seven and one-half—seven and one-half. Now the regents appropriate that out of their funds to take care of their share just like any other agency of the government."

Senator Rasmussen: "That is not the regents. That is the state that you are talking about, the state money. That is the question, Senator Ridder."

Senator Ridder: "I cannot dodge that. It comes from the state eventually."

Senator Rasmussen: "The state has been contributing their ten percent all these years. What are we talking about now of assisting the people that are already retired or the people that are going to retire?"

Senator Ridder: "We have a study coming in this coming year by the Public Pension Commission to survey all of the old retired pensioners in this state and to breed some program by which we can bring them all aboard. Now we are attempting to, through the old firemen, policemen, we did something for them. The teachers, remember, we brought up from five-fifty to six-fifty. We are trying all along the line to bring all of these up and we are looking forward to bringing this in after the study."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2119, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Mattingly, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—40.

Voting nay: Senators Guess, Lewis (Bob), Metcalf, Rasmussen, Twigg, Woodall—6.

Absent or not voting: Senators Connor, Newschwander—2.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 2119, having received the 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 Senator Rasmussen, Engrossed Substitute House Bill No. 435 was ordered to hold its place on the second reading calendar for Saturday, April 14, 1973.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 1005, by Committee on Ways and Means (originally sponsored by Representatives Conner and Chatalas):

Exempting certain retirement benefits from inheritance taxation.

## REPORT OF STANDING COMMITTEE

April 13, 1973.

SUBSTITUTE HOUSE BILL NO. 1005, exempting certain retirement benefits from inheritance taxation (reported by Committee on Ways and Means):



MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 2, line 16, after "follows:" strike the remainder of section 2 and insert:

"The right of a person (other than executor) to a pension, annuity or retirement allowance, any optional benefit, or any other right accrued or accruing to any person under any pension plan, annuity, retirement allowance or benefit where such pension plan, annuity, retirement allowance or benefit would qualify for exemption from federal estate taxes pursuant to section 2039(c) or 2039(d) of the internal revenue code of 1954 shall be exempt from inheritance tax."

Signed by: Senators Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Lewis (Harry), Metcalf, Peterson (Ted), Sandison, Scott.

The bill was read the second time by sections.

Senator Whetzel moved adoption of the committee amendment.

#### POINT OF INQUIRY

Senator Dore: "This does not affect annuities, just pensions, right? In other words, if I set up a large annuity for my wife, which has a cash surrender value, you mean that cash surrender value will no longer be evaluated for tax purposes?"

Senator Whetzel: "That kind of annuity would not be. Of course, all pensions partake of somewhat in the nature of an annuity. That is why your question throws me off a little bit. But if you are not doing it under a qualified plan which involves approval of the Internal Revenue Service where you cannot discriminate between highly paid and lower paid employees, that is the kind of thing that we are talking about here that would be subject to exemption. Not a special pension that is arranged for one individual or one highly paid individual. That would be fully subject to tax or if you went out and bought a special annuity for someone and of course the annuity you buy for your wife would not survive your wife. There would not be anything to tax in that case."

Senator Dore: "Well, I could have an annuity in my own name which my wife would inherit."

Senator Whetzel: "If you had a joint survivor annuity then, yes, there might be something left over."

Senator Dore: "What I am concerned about is if this would permit millionaires to merely put everything they have into annuities. I see George Clarke shakes his head no. That is why I asked."

Senator Whetzel: "Certainly not under this provision, Senator. No."

Senator Dore: "It is basically pensions and not annuities, for the record?"

Senator Whetzel: "Yes."

The motion by Senator Whetzel carried and the committee amendment was adopted.

On motion of Senator Whetzel, Substitute House Bill No. 1005, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1005, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Excused: Senator Talley—1.

SUBSTITUTE HOUSE BILL NO. 1005, 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.

ENGROSSED HOUSE BILL NO. 305, by Representatives Pardini, Adams, Kopet, Thompson, Cunningham and Hendricks (by Department of Social and Health Services request):

Providing additional procedures for enforcing support obligations.

#### REPORT OF STANDING COMMITTEE

April 12, 1973.

ENGROSSED HOUSE BILL NO. 305, providing additional procedures for enforcing support obligations (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 4, line 17, after "for" and before "said" insert "by".

On page 5, section 4, line 6, after "temporary" and before "support" strike "wife" and insert "spouse".

On page 7, section 7, line 32, after the comma following "RCW 74.20A.050" insert "or as appropriate under the provisions of section 27 of this 1973 amendatory act".

On page 10, section 9, line 23, after the period following "chapter" insert "The state also warrants and represents that it shall defend and hold harmless for such actions persons withholding money or property pursuant to this chapter."

On page 20, section 27, beginning on line 13, after "portion of the" and before the period, strike "debt accrued and/or accruing" and insert "amount so paid and/or being paid and/or to be paid".

Signed by: Senators Day, Chairman; Clarke, Connor, Greive, Herr, Jones, Murray, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

Senator Woody moved adoption of the following amendment:

On page 18, section 25, line 24, strike all of new section 25.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Woody yield? I want to get this exactly straight. The court has awarded the sum of one hundred and fifty dollars a month as support. The department comes along and gives two hundred and fifty a month. Now is there any way that the department is subrogated to a right to go against the man for more than the court said he had to pay?"

Senator Woody: "Precisely. That is what the effect of section 25 does."

Senator Woodall: "Is that what you are moving against?"

Senator Woody: "That is correct."

Senator Woodall: "And your amendment says that the department can go against the man for all the court said he had to pay, but they cannot go against him for the amount that they decided to pay? Is that what you are saying, in effect?"

Senator Woody: "That is correct."

The motion by Senator Woody carried and the amendment was adopted.

Senator Woody moved adoption of the following amendment:

On page 18, section 26, line 33, strike all of new section 26.

Debate ensued.

#### POINT OF INQUIRY

Senator Mardesich: "Senator Woodall, would you take the same position if that man were in this state and the department had awarded a greater grant than the court had?"

Senator Woodall: "Yes, the remedy is to go back and re-petition the court and show a greater need. And you prove it in court, not in the archives of one social worker."

MOTIONS

On motion of Senator Mardesich, Engrossed House Bill No. 305, as amended by the Senate, was ordered placed on the second reading calendar for Saturday, April 14, 1973.

On motion of Senator Mardesich, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 11, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, with the following amendment:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

*"NEW SECTION.* Section 1. That a budget is hereby adopted for the institutions of higher education and the community colleges and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages and other expenses of the institutions of higher education and the community colleges of the state and for other specified purposes for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

*NEW SECTION.* Sec. 2. FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation: *Provided*, That up to \$744,217 shall be expended for any new and innovative program as developed and implemented through chapter 275, Laws of 1971 ex. sess. (ESHB 151) in the 1971-73 biennium, and where evaluation merits continuance and for programs proposed in the 1973-75 biennium; in depth evaluations of project goals, effectiveness, applicability to other institutions, and provisions for continuation of viable projects shall be provided to the Council on Higher Education: *Provided*, That in addition to the amounts budgeted in this appropriation for the Equal Opportunity Program the University shall expend \$160,000 for the biennium: *Provided further*, That the funds contained in this section shall be reallocated so that up to \$293,200 may be available for arboretum purposes, which funds shall not be expended at any location other than the present University of Washington arboretum located in Seattle without the approval of the legislature .....\$ 141,005,919

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 7,837,614

Accident Fund Appropriation .....\$ 410,148

Medical Aid Fund Appropriation .....\$ 410,148

*NEW SECTION.* Sec. 3. FOR THE WASHINGTON STATE UNIVERSITY

General Fund Appropriation: *Provided*, That up to \$1,560,002 of this appropriation shall be used to provide public support for the Spokane Nursing Center: That Washington State University is authorized to maintain a level of expenditure for agricultural extension and agricultural research which anticipates the receipt of \$533,000 in federal funds during the 1973-75 biennium for these programs: *Provided*, That is the intent of the legislature that if the federal funds are not received, any deficiency not to exceed \$533,000 shall be appropriated at the January, 1974, legislative session: *Provided further*, That up to \$100,000 of this appropriation be used for research in alternative methods to grass burning .....\$ 72,618,120

General Fund Appropriation: For staff, design, and beginning construction of an underground distribution test site upon written assurances of full financial support from the Electrical Research Council for financing a major test site installation .....\$ 50,000

General Fund Appropriation: For salary and related fringe benefit in-

creases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel .....	3,368,612
<b>NEW SECTION. Sec. 4. FOR THE EASTERN WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation: <i>Provided</i> , That up to \$100,000 of this appropriation shall be made available for establishment and support of a Master of Social Work graduate program during the 1973-75 biennium .....	20,983,044
General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel .....	684,383
<b>NEW SECTION. Sec. 5. FOR THE CENTRAL WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation: <i>Provided</i> , That Central Washington State College may expend an amount not to exceed \$125,000 to explore the feasibility of the development and implementation of a management by objective program for the administration of public agencies .....	22,148,218
General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel .....	850,876
<b>NEW SECTION. Sec. 6. FOR THE EVERGREEN STATE COLLEGE</b>	
General Fund Appropriation: <i>Provided</i> , That an additional one hundred and fifty students may be enrolled for the 1973-75 school years and such enrollment growth shall be evaluated during the first legislative session in 1974 to determine the feasibility of funding additional enrollment growth .....	10,584,693
General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel .....	245,372
<b>NEW SECTION. Sec. 7. FOR THE WESTERN WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation .....	25,530,776
General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter .... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel .....	1,032,000
<b>NEW SECTION. Sec. 8. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</b>	
General Fund Appropriation .....	2,042,714
Community College Capital Projects Fund: For bond sale expenses .....	44,800
For distribution to the Community Colleges in accordance with chapter 28B.50 RCW. General Fund Appropriation: <i>Provided</i> , That up to \$150,000 shall be used for the design of a viable plan for a comprehensive management information system for the community college system and the development of a cost benefit analysis: <i>Provided</i> , That none of these moneys shall be expended for the training of personnel: <i>Provided</i> , That \$900,000 of this appropriation shall be administered by the State Board and used exclusively for disadvantaged programs: <i>Provided</i> , That Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to vocational-technical education: <i>Provided</i> , That those community college districts conducting community involvement programs during the 1971-73 biennium shall continue to conduct such programs at least at the existing level of program operation: <i>Provided further</i> , That up to \$1,430,130 shall be distributed by the State Board to the respective district boards of trustees as reimbursement for tuition fees, operating fees, and services and activities fees waived for any student who has not completed the twelfth grade and who is so enrolled for the purpose of pursuing a high school diploma or certificate. \$	135,400,216
General Fund Appropriation: <i>Provided</i> , That the State Board for Community College Education shall use this appropriation or so much as necessary to attract federal matching funds for Vietnam veteran programs and to help supplement the local districts educational efforts directed toward returning Vietnam veterans .....	200,000
General Fund Appropriation: For salary and related fringe benefit increases in addition to any other authorized by chapter .... (SSB 2854), Laws of	

1973 1st ex. sess. for faculty and exempt personnel: *Provided*, That an amount equal to a 2% increase for faculty shall be distributed to each community college district: *Provided further*, That each district board of trustees shall be authorized to utilize such funds for salary increases determined by such board to be appropriate .....\$ 2,173,112

General Fund Appropriation: For salary increases for part time faculty: *Provided*, That these funds are for distribution to the community college districts to be used exclusively to increase the salaries and benefits of eligible part time faculty up to two-thirds of the average salary and benefits paid to full time faculty by the 1974-75 academic year; recognizing that differences exist in the responsibilities of part time faculty, the State Board for Community College Education is directed to develop a definition of eligible part time faculty prior to distribution of any of these funds to the districts and that such definition shall include a compensation plan that recognizes the specific responsibilities assigned part-time faculty members .....\$ 3,456,000

**NEW SECTION.** Sec. 9. Post-secondary institutions are strongly encouraged to continue to develop new and innovative programs with faculty and student participation. Implementation of these nontraditional programs should encourage a meaningful individual educational experience, new techniques in instruction, and broader application to institutions of post-secondary education at large. A thorough report of all such programs shall be forwarded to the Legislative Budget Committee, the Interim Committee for Higher Education, the Council on Higher Education, or their successors, and the Governor, prior to any special session of the legislature convening in 1974 and the regular session in 1975.

**NEW SECTION.** Sec. 10. The council on higher education shall continue its assessment and evaluation of low productivity graduate degree programs at the masters and Ph.D. level, with the requirement that the council submit a report to any session of the Legislature convened in 1974 identifying specific programs which have been eliminated as a result of such evaluation.

**NEW SECTION.** Sec. 11. General Fund Appropriation:  
 The council on higher education may expend up to \$40,000 for the purpose of compensating moving costs and salary differentials for faculty members who are transferred among the six senior public institutions of higher education for the purpose of balancing faculty staffing with enrollment levels: *Provided*, That any institution whose actual enrollment drops below the budgeted enrollment during 1973-75 shall designate and report excess faculty positions to the council on higher education which in turn will attempt to match these employees with vacancies at the other higher education institutions: *Provided further*, That no institutions shall be obligated for continuation of the contract of such transferred faculty for more than one year and shall receive the equivalent of that person's salary and fringe benefits paid by the institution from which such person was transferred .....\$ 40,000

**NEW SECTION.** Sec. 12. Notwithstanding the enrollment levels utilized to establish the amount of funds herein appropriated for the state four year colleges and universities, these schools may enroll 5% in excess of annual budgeted enrollment levels each year of the 1973-75 biennium: **PROVIDED**, That no state funds shall be used or appropriated to support any enrollments beyond the budgeted levels for 1973-75 provided in this act: **PROVIDED FURTHER**, That the staff utilization formula shall be calculated only on the basis of enrollment levels budgeted by this act for any subsequent appropriation.

**NEW SECTION.** Sec. 13. In order to carry out the intent of the Legislature each institution which utilizes funds appropriated in this biennium for salaries of faculty and exempt personnel shall report to the 1975 Legislature the guidelines and criteria on which such funds were disbursed. At the discretion of the institution, the guidelines may or may not include consideration of recognized student evaluation and critiques of said faculty and/or exempt personnel.

**NEW SECTION.** Sec. 14. The words "institutions of higher education and community colleges" used herein means and includes every institution of higher education granting two

year or four year degrees, whether educational, correctional, or other, and division, board and commission, except as otherwise provided in this act.

*NEW SECTION.* Sec. 15. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in this budget, to the institutions of higher education and community colleges for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. (a) When necessary to limit total state expenditures to available revenues as required by RCW 43.88.110(2); (b) When the institutions of higher education and community colleges propose the expenditure of a resource not disclosed in the budget request submitted to the Governor and Legislature: **PROVIDED, HOWEVER,** That the aggregate of allotments for the institutions of higher education and community colleges shall not exceed the total of applicable appropriations and local funds available to the institutions of higher education and community colleges. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1973; for the sole purpose of authorizing the institutions of higher education and community colleges to order goods, supplies, or services for delivery after July 1, 1973: **PROVIDED,** That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1973.

*NEW SECTION.* Sec. 16. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or in the appropriations enacted by the Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

*NEW SECTION.* Sec. 17. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 15. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

*NEW SECTION.* Sec. 18. The institutions of higher education and the community colleges are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

*NEW SECTION.* Sec. 19. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

*NEW SECTION.* Sec. 20. Amounts received by the institutions of higher education and community colleges as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget; maximum interagency usage of data processing equipment and services and such restrictions as will

promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

*NEW SECTION.* Sec. 21. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act the institutions of higher education and the community colleges may not purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

*NEW SECTION.* Sec. 22. All contract personal services contracts except those for medical and health care and such other contracts which the director of the office of program planning and fiscal management may exempt after consultation with the Legislative Budget Committee shall be filed with the office of program planning and fiscal management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this act.

*NEW SECTION.* Sec. 23. Within the rules and regulations of the Department of Personnel, as applicable, in the filling of vacant positions and in the filling of new positions of employment in state government, preference shall be given, where necessary, to nonwhite and Mexican-American applicants in order to attain the same minority employment ratio in each agency as obtains in the population of the state at large.

*NEW SECTION.* Sec. 24. The institutions of higher education and the community colleges are hereby authorized and directed to pay their share of the 1971-73 unemployment compensation costs in accordance with section 19, chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 operating appropriations. The director of the office of program planning and fiscal management may require the institutions of higher education and the community colleges to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

*NEW SECTION.* Sec. 25. It is the intent of the Legislature that to the maximum extent possible, and exclusive of restricted fund activities, the layoff of existing classified staff shall not be in greater proportion than the ratio of classified staff to total employment at the respective institutions as of April 1, 1973. The institutions of higher education may utilize all available revenues and other resources and cost-saving procedures to minimize any adverse impact on institutional programs caused by the reordering of priorities permitted in this act.

*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. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately: PROVIDED, That provisions of this appropriations act shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Donohue moved that the Senate do concur in the House amendment to Engrossed Substitute Senate Bill No. 2740.

Debate ensued.

## POINT OF INQUIRY

Senator Dore: "What are the percentage increases in the salaries now in the various categories? I have a printed deal here. It says University of Washington, Washington State. Is that ten percent, ten point five percent?"

Senator Donohue: "The House did build in an increase and this increase is not new money, Senator, but is stated that the different colleges may, out of their budgets, increase, and the figure you have at the University of Washington and Washington State University, the figure before me is ten point five and the reason for this, the House determined, was because the University of Washington and Washington State University in the category of the seven colleges that are used as comparable were very much below that average. Consequently they have been losing some of their top people out of state and it was the decision of the House that to maintain these people and keep them here in our state, they were research people, etc., that it was necessary that these should be a little greater increase to reflect some kind of comparable figure with these seven colleges that they used for comparison."

Senator Dore: "And the colleges, the four-year college, are eight point five percent increase?"

Senator Donohue: "That is true, Senator."

Senator Dore: "And the community college is seven point?"

Senator Donohue: "That is true."

Senator Dore: "And the K-12 five percent?"

Senator Donohue: "That is true."

Senator Dore: "Why are not they the same? What was the rationale that we would raise one group higher than the other?"

Senator Donohue: "The rationale is to try to bring up some of these colleges. For instance, as I mentioned, the University of Washington was far below the average. The four year colleges were also below. Community colleges, to bring them up to parity with some of the other colleges as they were increased seven percent and they were trying to reach a more equitable dispersion of funds to the colleges to cause some better kind of parity in salaries."

## POINT OF INQUIRY

Senator Greive: "Will Senator Donohue yield? Could you tell me what colleges were used in comparison and how it was determined that these were comparable? Did you determine? Did the colleges themselves determine? How?"

Senator Donohue: "There was Minnesota, Wisconsin, Oregon, California, Ohio, Illinois. This group of colleges are the big ten, the Pacific Coast are used to determine in this over-all balance of salaries. There is an average that they use in saying whether or not they are below or above the average category."

Senator Greive: "Who picks these seven colleges?"

Senator Donohue: "The universities, I guess. I am not particularly up on that, Senator, but these seven colleges have been used for several years in this particular area."

## REMARKS BY SENATOR MARDESICH

Senator Mardesich: "About fourteen years ago, Mr. President, the Legislative Budget Committee began getting into the area of checking into the salaries at the various universities and they tried to take a cross section of the universities that were of comparable size and status and they came up with this list of seven at that time, and they have expanded on that somewhat and kept that same list to use as a comparison all these years."

## REMARKS BY SENATOR ATWOOD

Senator Atwood: "I think Dr. Paul Ellis was the man who originally picked them and with the help of the universities and colleges, but Senator Mardesich is correct in who picked them and how they were picked, and they were also, at the same time we established



the formulae that are used today with some variations, of course, from then. But that is how it is done. I might say that the reprioritization within their budget does permit Washington State and the University to go up as high as ten point five if they wanted to. For the colleges the maximum they could go up is eight point five. Community colleges seven. But this is all done within their operating budgets. I am not too sure that some of them, Washington State in particular, are in very bad shape. They are the lowest of the low in all of these seven colleges, or nine college average and there is probably some justification for it. The other parts of the budget though, I have some concern about. They did restore the travel, which I object to. They did make some other restorations that I thought were well taken but apparently Senator Durkan and Senator Donohue made the decision that there would not be any conference on this so you either take it or leave it."

The motion by Senator Donohue carried and the Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 2740.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2740, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; nays, 15; absent or not voting, 3; excused, 1.

Voting yea: Senators Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Stortini, Van Hollebeke, Walgren, Washington, Whetzel, Woody--30.

Voting nay: Senators Atwood, Clarke, Dore, Greive, Marsh, Matson, Mattingly, Murray, Newschwander, Rasmussen, Ridder, Sellar, Twigg, Wanamaker, Woodall--15.

Absent or not voting: Senators Bailey, Grant, Guess--3.

Excused: Senator Talley--1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, 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 HOUSE

April 12, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 105,

SUBSTITUTE HOUSE BILL NO. 306,

HOUSE BILL NO. 324,

HOUSE BILL NO. 369,

SUBSTITUTE HOUSE BILL NO. 392,

SUBSTITUTE HOUSE BILL NO. 722, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2101,

SENATE BILL NO. 2220,

SUBSTITUTE SENATE BILL NO. 2407,

SENATE BILL NO. 2552,

SENATE BILL NO. 2590, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2643, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 604, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 410, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 418, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 476, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 52, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:  
 HOUSE BILL NO. 105,  
 SUBSTITUTE HOUSE BILL NO. 306,  
 HOUSE BILL NO. 324,  
 HOUSE BILL NO. 369,  
 SUBSTITUTE HOUSE BILL NO. 392,  
 SUBSTITUTE HOUSE BILL NO. 722.

#### MOTION

At 12:50 a.m., on motion of Senator Mardesich, the Senate adjourned until 10:00 a.m., Saturday, April 14, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**THIRTY-SEVENTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wash., Saturday, April 14, 1973.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Gardner, Greive, Rasmussen, Whetzel and Woody.

The Color Guard, consisting of Pages Andrew Brager and Karen Stayton, presented the Colors. Reverend Burt Huizenga, pastor of Evergreen Christian Reformed Church of Olympia, offered the following prayer:

“ALMIGHTY GOD, IT IS RECORDED IN ECCLESIASTES THAT ‘FOR EVERYTHING THERE IS A SEASON AND A TIME FOR EVERY MATTER UNDER HEAVEN’. FOR WEEKS AND MONTHS YOU HAVE ASKED OUR SENATORS AND REPRESENTATIVES WITH ALL OF THE OTHER OFFICIALS AND AIDES, TOGETHER WITH THE CONCERNED CITIZENRY, TO CONSIDER MANY MATTERS. THESE MATTERS ALL DEAL IN SOME WAY WITH THE WELFARE AND STYLE OF LIFE OF ALL OF THE PEOPLE.

“IN YOUR PROVIDENCE, DEAR GOD, THERE WAS A TIME TO BEGIN THESE SESSIONS, A TIME TO STUDY AND DEBATE, AND A TIME TO CRITICIZE AND RECONSIDER. AND NOW THE TIME HAS COME TO GATHER TOGETHER AND PUT FORTH EVERY EFFORT TO COMPLETE THE CONSIDERATIONS OF THIS SESSION AND FINALIZE THE WORK.

“WE THANK YOU FOR THE DEDICATION AND SERVICE OUR LEGISLATORS HAVE ALREADY PUT FORTH AND WE PRAY THAT STRENGTH AND COURAGE MAY BE GIVEN TO EACH PERSON TO THE END THAT THE DECISIONS MADE MAY CONTRIBUTE TO THE WAY OF RIGHTEOUSNESS, PROGRESS, AND PEACE. IN JESUS’ NAME. AMEN.”

**MOTION**

On motion of Senator Walgren, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGES FROM THE HOUSE

April 13, 1973.

Mr. President: The Speaker has signed:  
HOUSE BILL NO. 720,  
HOUSE BILL NO. 901, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has passed HOUSE BILL NO. 1108, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has passed:  
HOUSE BILL NO. 197,  
ENGROSSED HOUSE BILL NO. 1044,  
HOUSE BILL NO. 1074, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has passed:  
ENGROSSED SENATE BILL NO. 2319,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2531,  
SUBSTITUTE SENATE BILL NO. 2589, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has passed ENGROSSED HOUSE JOINT RESOLUTION NO. 37, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 13, 1973.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 590, and the Senate amendments thereto, and the Speaker has appointed as members of the conference committee thereon: Representatives Johnson, Chatalas and Newhouse.

DEAN R. FOSTER, Chief Clerk.

April 13, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, and the Senate amendments thereto, and the Speaker has appointed as members of the conference committee thereon: Representatives Valle, Wojahn and Kuehnle.

DEAN R. FOSTER, Chief Clerk.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House refuses to recede from its amendments to SUBSTITUTE SENATE BILL NO. 2328, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Substitute Senate Bill No. 2328, and the House amendments thereto: Representatives Beck, Perry and Berentson.

DONALD R. WILSON, Assistant Chief Clerk.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute Senate Bill No. 2328, and the House amendments thereto: Senators Walgren, Guess and Sandison.

## MOTION

On motion of Senator Walgren, the Conference Committee appointments were confirmed.

## SECOND READING

HOUSE BILL NO. 363, by Representatives Adams, Cunningham, Parker and Tilly (by Department of Social and Health Services request):

Changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported.

The Senate resumed consideration of House Bill No. 363. On Friday, April 13, 1973, Senator Van Hollebeke moved adoption of an amendment to page 1, section 1, line 23. On that day, an amendment to the amendment by Senator Fleming was adopted.

The motion by Senator Van Hollebeke carried and the amendment, as amended, was adopted.

On motion of Senator Day, House Bill No. 363, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 363, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—42.

Absent or not voting: Senators Dore, Gardner, Grant, Mattingly, Rasmussen, Whetzel, Woodall—7.

HOUSE BILL NO. 363, 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 Senator Ridder, Senator Dore was excused.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, by Judiciary Committee (originally sponsored by Representatives Fortson, Clemente, Bender, Hansen and North (Frances):

Making changes to penalties provided for controlled substances offenses.

The Senate resumed consideration of Engrossed Substitute House Bill No. 323, the committee amendments having been adopted on Friday, April 13, 1973.

On motion of Senator Mardesich, Engrossed Substitute House Bill No. 323, as

amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 323, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—43.

Absent or not voting: Senators Fleming, Francis, Gardner, Greive, Woodall—5.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, 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 PRESIDENT

The President signed:  
 SUBSTITUTE SENATE BILL NO. 2105,  
 SUBSTITUTE SENATE BILL NO. 2226,  
 SENATE BILL NO. 2490,  
 SENATE BILL NO. 2833,  
 SENATE BILL NO. 2835,  
 SENATE BILL NO. 2847,  
 SENATE BILL NO. 2918.

#### SIGNED BY THE PRESIDENT

The President signed:  
 HOUSE BILL NO. 720,  
 HOUSE BILL NO. 901.

#### SECOND READING

HOUSE BILL NO. 362, by Representatives Adams, Cunningham and Parker (by Department of Social and Health Services request):

Subrogating the department of social and health services to certain rights of persons who receive public assistance.

The Senate resumed consideration of House Bill No. 362, as amended by the Senate on Friday, April 13, 1973.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Day moved that the Senate reconsider the vote by which the following amendment by Senator Rasmussen was adopted on Friday, April 13, 1973:

On page 2, after section 2, add a new section 3 to read as follows:

"NEW SECTION. Sec. 3. There is added to chapter 74.04 RCW a new section to read as follows:

No payment or claim for payment pursuant to chapter 73.34 RCW shall be treated as income for purposes of this chapter.

Re-number the remaining sections consecutively.

## POINT OF INQUIRY

Senator Guess: "Both of those amendments do not have to come off. One of them says that the bonus will not be subject to garnishment. Now why in the world has that got anything to do with the Department of Social and Health Services?"

Senator Day: "Senator Guess, that is why I was asking why the amendment be read, so that we could see what we are doing here."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, the thing that worries me about this is that it sounds like the Horowitz haunt out on the sidelines. Every time we come to the close of a session Don Horowitz runs around in the balcony or someplace trying to stop anything that deals with the Department of Social and Health Services that he has not personally written. I do not want to see us lose federal funds, but I do not want to see that department get any right to garnishment or anything for a handle on the veterans' bonus. That is about all they need now to take complete control of everything."

The motion for reconsideration by Senator Day carried.

## MOTIONS

On motion of Senator Day, the amendment by Senator Rasmussen to House Bill No. 362 was not adopted.

On motion of Senator Day, House Bill No. 362, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 362, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—45.

Absent or not voting: Senators Gardner, Whetzel, Woodall—3.

Excused: Senator Dore—1.

HOUSE BILL NO. 362, 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.

SUBSTITUTE HOUSE BILL NO. 429, by Committee on State Government (originally sponsored by Representatives North (Lois), Newhouse and May) (by Legislative Council request):

Creating the Uniform State Mapping Fund.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), Substitute House Bill No. 429 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 429, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—44.

Absent or not voting: Senators Connor, Donohue, Gardner, Whetzel, Woodall—5.

SUBSTITUTE HOUSE BILL NO. 429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## THIRD READING

ENGROSSED HOUSE BILL NO. 564, by Representatives Kilbury and Nelson:

Providing alternate methods for petitioning a legislative body to call an annexation election.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 564, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Dore, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—44.

Absent or not voting: Senators Day, Donohue, Gardner, Whetzel, Woodall—5.

ENGROSSED HOUSE BILL NO. 564, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 903, by Committee on Constitution and Elections (originally sponsored by Representative King):

Amending procedures for vote tallying.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 3, following section 1, add an additional section as follows:

“Sec. 2. Section 29.64.030, chapter 9, Laws of 1965 and RCW 29.64.030 are each amended to read as follows:

At the time and place fixed for making a recount of paper ballots, the canvassing board or their duly authorized representatives, in the presence of all witnesses who may be in attendance, shall open the sealed containers containing the ballots to be recounted, and shall recount them. Ballots shall be handled only by the members of the canvassing board, their duly authorized representatives or by the clerk or other employees of the board. Witnesses shall be permitted to see the ballots but they shall not be permitted to touch them, and the canvassing board shall not permit the counting or tabulation of votes shown on the ballots for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such ballots for the nomination, election, or question or proposition concerning which a recount of ballots was applied for.



At the time and place fixed for making a recheck of the votes cast on voting machines the canvassing board or their duly authorized representatives in the presence of all witnesses who may be in attendance, shall open the voting machines to be rechecked, and shall recheck them. Witnesses shall be permitted to watch the recheck of the voting machines, and the canvassing board shall not permit the rechecking of votes for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such voting machines for the nomination, election, or question or proposition concerning which a recount of voting machines was applied for.

*At the time and place fixed for making a verification of the votes cast by punchcard ballots, the canvassing board or their duly authorized representatives in the presence of all witnesses who may be in attendance, shall select at random a number of precincts equal to five percent of the total number of such precincts or fifty of such precincts, whichever number is the smaller. The punchcard ballots cast at such precincts shall be manually counted by persons equally representing each major political party appointed by and under the direction of the county auditor or officer charged with the conduct of such election. If the total results of such manual count combined with the count of the applicable absentee, questioned, and challenged ballots involved can be reconciled within one-half of one percent of the official election returns for such precincts, and such difference would not change the outcome of the election, no further recount shall be made and the election returns as reported for the remaining punchcard voting precincts shall be deemed to have been verified. However, if the results of such manual recount cannot be so reconciled with the official returns, the county canvassing board shall direct that either:*

(1) *All the remaining punchcard ballots be manually counted or;*

(2) *A new computer program be prepared at county expense and subject to certification as provided by chapter 29.34 RCW and that all punchcard ballots voted at the election concerned be recounted by computer by use of such new program and the results of such count shall be deemed the final and official election returns.*

At any time before the ballots from all of the precincts listed in the application for the recount have been recounted, the applicant may file with the board a written request to stop the recount and not recount the ballots from the precincts so listed and which have not been recounted prior to the time of such request: PROVIDED, That this provision shall not apply to a recount when a recount is being made of any regular or special district election whereat the precincts were consolidated and as a result thereof the application for a recount embraced all ballots cast at such election.

If, upon such request, the board finds that the results of the votes in the precincts recounted, if substituted for the results of the votes in such precincts as shown in the abstract of the votes in such precincts, would not cause the applicant, if a person for whom votes were cast for nomination or election, to be declared nominated or elected or if an election upon a question or proposition would not cause a result contrary to the result thereof as declared prior to such recount, it shall grant such request and shall not recount the ballots of the precincts listed in the application for recount which have not been recounted prior to such time. If the board finds otherwise, it may deny such request and shall continue to recount ballots until the ballots from all of the precincts listed in the application for recount have been recounted: PROVIDED, That if such request is denied it may be renewed from time to time. Upon any such renewal the board shall consider and act upon the request in the same manner as provided in this section in connection with an original request."

On motion of Senator Lewis (Harry), the following amendment to the title was adopted:

In line 1 of the title, after "elections;" and before "amending" strike "and".

In line 2 of the title, after "29.34.160" and before the period insert "; and amending section 29.64.030, chapter 9, Laws of 1965 and RCW 29.64.030".

On motion of Senator Lewis (Harry), Substitute House Bill No. 903, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 903, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woody—44.

Absent or not voting: Senators Connor, Fleming, Gardner, Whetzel, Woodall—5.

SUBSTITUTE HOUSE BILL NO. 903, 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.

ENGROSSED HOUSE BILL NO. 769, by Representative Kopet:

Enabling secretary of department of social and health services to sell certain lands.

The bill was read the second time by sections.

On motion of Senator Day, Engrossed House Bill No. 769 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 769, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—47.

Absent or not voting: Senators Connor, Gardner—2.

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.

SUBSTITUTE HOUSE BILL NO. 208, by Committee on Local Government (originally sponsored by Representatives Sommers and North (Lois):

Authorizing new procedures for the management of county property.

The bill was read the second time by sections.

On motion of Senator Murray, Substitute House Bill No. 208 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 208, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Wanamaker, Washington, Woodall—42.

Voting nay: Senators Rasmussen, Van Hollebeke, Woody—3.

Absent or not voting: Senators Day, Gardner, Newschwander, Whetzel—4.

SUBSTITUTE HOUSE BILL NO. 208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1047, by Representatives Newhouse, Haussler and Pardini:

Regulating the interest rate upon public funds held as time deposits.

The bill was read the second time by sections.

On motion of Senator Ridder, the following amendment was adopted on a rising vote:

On page 1, section 1, beginning on line 10, after "not be" strike all the material down to and including "or" on line 13 of the engrossed bill, being line 12 of the printed bill, and insert "[in excess of one hundred percent of the average bill rate at the last U.S. treasury 91-day bill market auction or]".

On motion of Senator Dore, Engrossed House Bill No. 1047, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1047, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 20; absent or not voting, 4.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Dore, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Marsh, Peterson (Lowell), Rasmussen, Ridder, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Mardesich, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Sandison, Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—20.

Absent or not voting: Senators Donohue, Fleming, Lewis (Bob), Odegaard—4.

ENGROSSED HOUSE BILL NO. 1047, 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

Senator Ridder moved that Engrossed House Bill No. 1047, as amended by the Senate, be immediately transmitted to the House.

Senator Mardesich objected.

The motion failed.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Durkan moved that the Senate do now reconsider the vote by which Engrossed Substitute House Bill No. 323, as amended by the Senate, passed the Senate.

The motion for reconsideration carried.

#### MOTIONS

On motion of Senator Francis, Engrossed Substitute House Bill No. 323, as amended by the Senate, was returned to second reading.

On motion of Senator Francis, the following amendment by Senators Durkan and Francis was adopted:

On page 3, section 2, line 5 of the engrossed bill, after "classified in" strike "Schedules I or II" and insert "Schedule I, RCW 69.50.204".

On motion of Senator Francis, Engrossed Substitute House Bill No. 323, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 323, as amended by the Senate, and on reconsideration the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Dore, Durkan, Francis, Gardner, Greive, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Bottiger, Donohue, Fleming, Grant, Henry—5.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, 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 Senator Mardesich, the Senate returned to the fourth order of business.

The Senate resumed consideration of the House message on Engrossed Senate Bill No. 2256, as amended by the House.

On Friday, April 13, 1973, Senator Marsh moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 2256 and on that same day, Senator Lewis (Harry) moved that the Senate do not concur in the House amendments.

The positive motion by Senator Marsh carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 2256.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2256, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—43.

Voting nay: Senators Guess, Lewis (Bob), Mattingly, Sellar, Twigg, Woodall—6.

ENGROSSED SENATE BILL NO. 2256, 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

Having voted on the prevailing side, Senator Woody served notice that he would, at the proper time, move for reconsideration of the vote by which Engrossed House Bill No. 1047, as amended by the Senate, passed the Senate.

#### MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2294 with the following amendment:

On page 1, section 1, line 7, after "follows:" strike all the material down to and including "set forth above." on page 2, line 10, and insert the following:

"There is created within the state treasury a revolving fund, to be known as the "secretary of state's revolving fund," which shall be used by the office of the secretary of state to defray the costs of printing, reprinting, or distributing printed matter authorized by law to be issued by the office of secretary of state. *The secretary of state is hereby authorized to charge a fee for such publications in an amount which will compensate for the costs of printing, reprinting, and distributing such printed matter. Fees recovered shall be placed in the secretary of state's revolving fund.*

**NEW SECTION.** Sec. 2. There is added to chapter 43.07 RCW a new section to read as follows:

The secretary of state is hereby specifically authorized to print, reprint, and distribute the following materials:

- (1) Lists of active corporations;
- (2) The provisions of Title 23RCW;
- (3) The provisions of Title 23A RCW;
- (4) The provisions of Title 24 RCW;
- (5) The provisions of Title 29 RCW;
- (6) The provisions of Title 62A RCW;
- (7) The provisions of chapter 18.100 RCW;
- (8) The provisions of chapter 19.77 RCW;
- (9) The provisions of chapter 43.07 RCW;
- (10) The provisions of the Washington state Constitution;
- (11) The provisions of initiative measure 276 and rules and regulations adopted by the public disclosure commission; and
- (12) Rules and regulations related to the statutory provisions set forth above.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Whetzel, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2294.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2294, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-48.

Absent or not voting: Senator Newschwander-1.

ENGROSSED SENATE BILL NO. 2294, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2435, with the following amendments:

On page 1, beginning on line 6 of the title, strike "; and making an appropriation".

On page 4, beginning on line 14, strike section 6., and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Atwood, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2435.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2435, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—48.

Absent or not voting: Senator Lewis (Harry)—1.

ENGROSSED SENATE BILL NO. 2435, 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 HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2361, with the following amendments:

On page 1, line 8 of the title of the engrossed and printed bills, after "RCW 29.81.050;" insert "amending section 29.81.090, chapter 9, Laws of 1965 and RCW 29.81.090;"

On page 2, section 1, line 16 of the engrossed and printed bills, after "(5)" insert "*Following any argument or rebuttal statement found by the attorney general to be patently untrue, the statement of the attorney general as provided by RCW 29.81.090(2), as now or hereafter amended.*

(6)"

On page 6, section 7, lines 9 and 10 of the engrossed and printed bills, after "but" strike "or unsubstantiated claim,"

On page 6, section 9, line 32 of the engrossed and printed bills, after "but" strike "or unsubstantiated claim,"

On page 7 of the engrossed and printed bills, immediately following section 9, add a new section as follows:

"Sec. 10. Section 29.81.090, chapter 9, Laws of 1965 and RCW 29.81.090 are each amended to read as follows:

(1) If in the opinion of the secretary of state any argument offered for filing contains any obscene, vulgar, profane, scandalous, libelous, defamatory, or treasonable matter, or any language tending to provoke crime or a breach of the peace, or any language or matter the circulation of which through the mails is prohibited by any act of congress, the secretary of state shall refuse to file it: PROVIDED, That the committee submitting such argument for filing may appeal to a board of censors consisting of the governor, the attorney general, and the superintendent of public instruction, and the decision of a majority of such board shall be final.

(2) *If in the opinion of the attorney general any argument or rebuttal statement offered for filing contains any material which is patently untrue, the attorney general shall prepare a concise statement to that effect, together with his reasons for such opinion, and such statement shall be included in the voters' pamphlet by the secretary of state.*, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

Senator Stortini moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 2361 to page 6, section 7, lines 9 and 10 and page 6, section 9, line 32 and refuse to concur in the amendments to page 2, section 1, lines 16, and page 7 following section 9 adding a new section and ask the House to recede therefrom.

Debate ensued.

## POINT OF INQUIRY

Senator Canfield: "Would Senator Stortini yield? Which amendment are you supporting and which one are you not supporting?"

Senator Stortini: "I am supporting the amendment on page 6. There are two of them, and that is the deletion of the term 'unsubstantiated claim'. The House felt that this was too . . . ."

Senator Canfield: "Those are okay. Now how about the other two?"

Senator Stortini: "And the other two on page 2 and page 7 which deal with the statement 'patently untrue'. I move that we do not concur with this."

Senator Canfield: "Mr. President, I concur with Senator Stortini in his remarks."

The motion by Senator Stortini carried.

## MOTION

On motion of Senator Stortini, the Senate Message was ordered immediately transmitted to the House.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, with the following amendments:

On page 9, section 7, beginning on line 19, strike all the matter down to and including the period on line 32 and insert the following:

"For each of the fiscal years 1973-74 and 1974-75 the total amount of such special excise taxes levied by all municipalities shall be \$6,000,000 per year and each municipality may levy not to exceed the proportion of such total amount for which the municipality qualifies proportionately with all other qualifying municipalities under RCW 35.58.273 and RCW 82.44.150 for local mass transit assistance purposes. Prior to May 1, 1973 and May 1, 1974 each municipality desiring to levy an excise tax during the immediately following fiscal year shall so advise the director of the department of motor vehicles. Necessary data shall be supplied by the office of program planning and fiscal management to the director of the department of motor vehicles, who shall determine the maximum amount of the excise tax levy for each qualifying municipality and shall certify such amount to each such municipality prior to June 1 of each of the years 1973 and 1974."

On page 11, after section 10, strike section 11 and insert the following new sections:

"*NEW SECTION.* Sec. 11. (1) There is hereby appropriated from the state school equalization fund to the state treasurer for the biennium ending June 30, 1975, the sum of \$12,000,000 for distribution to municipalities for local mass transit assistance purposes pursuant to RCW 82.44.150.

(2) There is hereby appropriated from the state school equalization fund to the state treasurer for the biennium ending June 30, 1973, the sum of \$4,676,100 for distribution to municipalities for local mass transit assistance purposes. This appropriation is in addition to the appropriation of \$6,935,900 from the school equalization fund for mass transit assistance in section 25, chapter 275, Laws of 1971 ex. sess., and in lieu of any funds which otherwise would have been distributable to municipalities for mass transit assistance during the biennium ending June 30, 1973 pursuant to the authorization in section 102, chapter 275, Laws of 1971 ex. sess.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Atwood, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2813.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2813, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 9; absent or not voting, 1.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—39.

Voting nay: Senators Atwood, Bottiger, Knoblauch, Mardesich, Marsh, Newschwander, Rasmussen, Sellar, Talley—9.

Absent or not voting: Senator Day—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED HOUSE BILL NO. 305, by Representatives Pardini, Adams, Kopet, Thompson, Cunningham and Hendricks (by Department of Social and Health Services request):

Providing additional procedures for enforcing support obligations.

The Senate resumed consideration of Engrossed House Bill No. 305. The committee amendments and an amendment by Senator Woody were adopted on Friday, April 13, 1973.

Senator Woody had moved adoption of the following amendment on Friday, April 13, 1973:

On page 18, section 26, line 33, strike all of new section 26.

The motion by Senator Woody carried and the amendment was adopted.

On motion of Senator Bottiger, the following amendment was adopted:

On page 22, following section 28, insert a new section to read as follows:

“NEW SECTION. Sec. 29. The provisions of this 1973 amendatory act shall expire and become null and void July 1, 1973.”

Senator Woody moved adoption of the following amendment:

On page 1, after the enacting clause insert the following:

“NEW SECTION. Section 1. There is added to chapter 74.20A RCW a new section to read as follows:

There is hereby created within the department of social and health services a separate division known as the special investigative and referral unit.

NEW SECTION. Sec. 2. There is added to chapter 74.20A RCW a new section to read as follows:

As used in this chapter:

(1) “Department” means the department of social and health services;

(2) “Director” means the director of the special investigative and referral unit created by this 1973 amendatory act;

(3) “Secretary” means the secretary of the department of social and health services.

NEW SECTION. Sec. 3. There is added to chapter 74.20A RCW a new section to read as follows:

It is the intent of the legislature to place the powers and duties of the department pertaining to those matters set forth in section 6 of this 1973 amendatory act, to a separate



division within the department, responsible directly to the secretary and directly responsive to the legislature, with full assistance and cooperation of the department and all other agencies and political subdivisions of the state.

*NEW SECTION.* Sec. 4. There is added to chapter 74.20A RCW a new section to read as follows:

The governor, with the advice and consent of the senate, shall appoint the director for a term of two years. His salary shall be fixed under the provisions of RCW 43.03.040. He shall be a person experienced in the fields of investigation, social services and state government.

*NEW SECTION.* Sec. 5. There is added to chapter 43.20A RCW a new section to read as follows:

Pursuant to chapter 41.06 RCW, the director shall employ a staff including investigators, investigator supervisors and clerical assistants, according to the following schedule:

One investigator for every one thousand four hundred assistance units actually receiving benefits from the department through the aid to dependent children program computed as of the effective date of this act, and January 1st of each and every year thereafter; one supervisor for every five investigators, and one clerical person for every three investigators, and in addition thereto, for the office of the director, one assistant to the director, one secretary and one clerk stenographer. Compensation for employment shall be consistent with other state law enforcement investigative agencies, and with the state secretarial and clerical employment compensation.

*NEW SECTION.* Sec. 6. There is added to chapter 74.20A RCW a new section to read as follows:

The special investigative and referral unit shall have the following powers and duties:

(1) To investigate for criminal violations pertaining to persons applying for or receiving benefits of whatever kind, from or through the department in any manner or pertaining to personnel of the department as it may relate to criminal violations of the application for or receiving of benefits from the department in any manner;

(2) To review contracts for services between the department and other agencies, persons or corporations, or political subdivisions of the state or between the department and private persons or corporations, and investigate irregularities;

(3) To maintain a current record of activities and report monthly to the secretary, and quarterly to the legislative budget committee and the governor as to investigations of criminal violations, reviews of contracts for services, and referrals to county prosecutors and the attorney general;

(4) To refer to the applicable county prosecutor any alleged criminal violations, and to the attorney general of the state of Washington, any alleged civil liabilities resulting from investigations as provided herein;

(5) The director and each supervisor of investigators shall have the power to administer oaths, certify all official acts, issue subpoenas for the attendance of witnesses and production of papers, books, accounts, documents and testimony, at reasonable times and places, pursuant to an investigation in this 1973 amendatory act. The superior court of the county in which the witness resides, shall have power to compel the attendance of witnesses and the production of papers, books, accounts, documents and testimony as required by subpoenas issued as provided in this 1973 amendatory act. In the event that a witness subpoenaed as provided in this 1973 amendatory act shall fail or refuse to attend or testify or produce any papers, books, records or documents required by the subpoena, any supervisor investigator may appear before said superior court, set forth by petition that a copy of the subpoena served, a statement as to the time and manner that service was obtained, and describe the manner and circumstances in which the witness failed or refused to attend, produce papers, documents or records, or answer particular questions, and setting forth the question which the witness failed or refused to answer, and a response or lack of response thereto, and ask for an order of said court compelling the witness to attend and testify, produce certain papers, books, accounts and documents, or answer certain questions to the investigator supervisor, said petition to be upon verification of the investigator supervisor. The superior court, upon finding that a subpoena in proper form was served

upon the witness in a valid form, and that the witness failed to appear, or failed to produce papers, books, accounts, and documents set forth in the subpoena, or failed to answer certain questions proposed by the investigator, may enter an order directing the witness to appear before said court at a time and place to be fixed by the court in such order, and then and there show cause why he should not be required to attend for the purpose of giving testimony, to produce the papers, books, accounts, documents and testimony set forth in the subpoena, or be required to answer certain specific questions, and why the witness should not be required to pay the actual costs incurred in court proceedings, including statutory court costs. A copy of said order shall be served upon the witness at least five judicial days before the return date in the order. In the event the witness fails to appear on the return date in the order, upon showing that the witness has been served at least five judicial days prior thereto, the superior court may issue a bench warrant. On a return date set forth in said order, the superior court may enforce its order set forth herein by contempt proceedings.

**NEW SECTION.** Sec. 7. There is added to chapter 74.20A RCW a new section to read as follows:

Each witness who shall appear under subpoena shall receive for his attendance four dollars per day and ten cents per mile traveled by the nearest practicable route in going to and returning from the place designated in the subpoena.

Sec. 8. Section 8, chapter 18, Laws of 1970 ex. sess. and RCW 41.06.076 are each amended 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 social and health services to the secretary; his deputy secretary; his personnel director; his administrative assistant, if any; not to exceed six assistant secretaries, *a director of the special investigative and referral unit*; and one confidential secretary for each of the [ten] *eleven* above-named officers: PROVIDED, That each such confidential secretary must meet the minimum qualifications for the class of secretary II as determined by the state personnel board.

Sec. 9. Section 6, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.060 are each amended to read as follows:

The department of social and health services shall be subdivided into divisions, *including a division to be known as the special investigative and referral unit, with a director thereof, and including a division of vocational rehabilitation, with an assistant secretary thereof as provided in RCW 43.20A.090, such secretary hereafter in RCW 43.20A.310 and 43.20A.320 referred to as "his designee"*. Except as otherwise specified in this 1970 amendatory act, or as federal requirements may differently require, these divisions shall be established and organized in accordance with plans to be prepared by the secretary and approved by the governor. In preparing such plans, the secretary shall endeavor to promote efficient public management, to improve programs, and to take full advantage of the economies, both fiscal and administrative, to be gained from the consolidation of the departments of health, public assistance, institutions, the veterans' rehabilitation council, and the division of vocational rehabilitation of the coordinating council on occupational education.

**NEW SECTION.** Sec. 10. If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 11. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

#### POINT OF ORDER

Senator Jones: "I would challenge this on the basis of scope and object."

#### MOTION

On motion of Senator Mardesich, Engrossed House Bill No. 305, as amended by the

Senate, together with the Point of Order by Senator Jones on the amendment by Senator Woody, was made a special order of business immediately following noon recess.

### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, by Committee on State Government (originally sponsored by Representatives Bausch, Hendricks, Thompson, Adams, Bagnariol, Bauer, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Parker, Paris, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Revising the laws relating to the state employees' retirement system.

### REPORT OF STANDING COMMITTEE

April 13, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, revising the laws relating to the state employees' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 2, line 5, strike "1974" and insert "1947".

On page 5, section 2, line 12, after "system" insert "*with interest (as computed by the retirement board) on the employee's portion*".

On page 14, section 6, line 7, after "service." strike all material down to and including "disclosed." on line 14.

On page 14, section 7, line 27, after "contributions" and before the comma, insert "*with interest as computed by the retirement board*".

On page 19, section 9, line 19, after "appointed" strike all material down to and including "commissioner" on line 23, and insert "*pursuant to Articles II or III of the Constitution of the State of Washington or RCW 48.02.010 and the implementing statutes*".

On page 29, add a new section following section 15 and renumber the remaining sections consecutively:

"Sec. 16. Section 18, chapter 274, Laws of 1947 as last amended by section 3, chapter 151, Laws of 1972 and RCW 41.40.170 are each amended to read as follows:

(1) A member who has served or shall serve on active federal service in the military or naval forces of the United States and who left or shall leave an employer to enter such service shall be deemed to be on military leave of absence if he has resumed or shall resume employment as an employee within one year from termination thereof.

(2) If he has applied or shall apply for reinstatement of employment, within one year from termination of the military service, and is refused employment for reasons beyond his control, he shall, upon resumption of service within ten years have such service credited to him.

(3) In any event, after completing twenty-five years of creditable service, any member may have his service in the armed forces credited to him as a member whether or not he left the employ of an employer to enter such armed service: PROVIDED, That in no instance, described in subsection (1), (2), and (3) of this section, shall military service in excess of five years be credited: AND PROVIDED FURTHER, That in each instance the member must restore all withdrawn accumulated contributions, which restoration must be completed within five years of membership service following his first resumption of employment: AND PROVIDED FURTHER, That this section will not apply to any individual, not a veteran within the meaning of RCW [41.06.150] 41.04.005, as now or hereafter amended: AND PROVIDED FURTHER, That in no instance, described in subsection (1), (2) and (3) of this section, shall military service be credited to any member who is receiving full military retirement benefits pursuant to Title 10 [USC 3911 or 3914, as now or hereafter amended] United States Code."

On page 2, line 3 of the title after the semicolon and before "adding" insert "amending section 18, chapter 274, Laws of 1947 as last amended by section 3, chapter 151, Laws of 1972 and RCW 41.40.170;"

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Canfield, Fleming, Lewis (Harry), Marsh, Peterson (Ted), Ridder, Scott.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments to page 5 were adopted.

On motion of Senator Ridder, the remaining committee amendments were adopted.

On motion of Senator Durkan, the following amendment was adopted:

On page 4, section 2, line 11, after "employer" and before the period insert "*PROVIDED, That if a leave of absence is taken by an individual for the purpose of serving in the state legislature, the salary which would have been received for the position from which the leave of absence was taken, shall be considered as compensation earnable if the employee's contribution is paid by the employee and the employer's contribution is paid by the employer or employee*".

Senator Rasmussen moved adoption of the following amendment:

On page 11, section 5, line 29, after "employee" and before the semicolon insert:

*"AND PROVIDED FURTHER, That any person who was an elected official eligible to apply for membership pursuant to this subsection, who failed to exercise that option while holding such elected office and who is now a member of the retirement system, shall have the option to recover service credit for such elected service upon payment to the retirement system of the employee and employer contributions which would have been made had the person been a member during the period of such elective service"*.

#### POINT OF INQUIRY

Senator Bailey: "Would Senator Rasmussen yield? Senator, does this amendment and the ones that follow actually make it possible for a member that had previous service and dropped out of the system for some reason and then came back in, to open up the prior time that they can claim their previous service?"

Senator Rasmussen: "This is correct. This has been approved by the Retirement Board and will not harm the Retirement Board but will leave it whole."

Senator Bailey: "Well then one other question. If they come back in under both of these amendments, would they have to pay back all of the money they owe and all the money that would be contributed by the employer if they had been working since then?"

Senator Rasmussen: "This is correct. Then at that time they will have to examine their situation. What happens, many of these people have drawn money out of the system, the hardship cases where they had debts or something like that, were not able to come back in. But this will make the fund whole and will not damage the Retirement Board and has been cleared with them."

Senator Bailey: "It has been cleared by the Retirement Board?"

Senator Rasmussen: "Yes, In fact, Mr. Ryan is sitting out there. I have been checking with him all morning."

#### POINT OF INQUIRY

Senator Talley: "I wonder if Senator Rasmussen would yield to a question. Senator Rasmussen, if you had previous service and did not elect to be under the system, could you go back now and pick that service up?"

Senator Rasmussen: "That would be correct if you made the Retirement Board whole as determined by them."

#### REMARKS BY SENATOR RIDDER

Senator Ridder: "This applies to the elected official and there are so many elected officials that might serve maybe two years or four years of a term and then go out of public life, then later on, maybe eight or ten years later are elected to another service and you never think this far in advance that you are going to have to re-opt and so this would allow that elected official then to go back and pick up those four original years or two original years or three original years by paying in the necessary contributions if he had taken them

out, or she as the case may be, with the interest accrued on those years and this would then bring them up to date with their present elected time and would allow them then to retire with full service. Now the in-between time does not count. I notice Senator Metcalf has a stunned look. The in-between time would not count."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "Senator Rasmussen, you just said something that alarms me though. You said they would pay back the amount determined by the Board. Is there any possibility here the board possibly could determine you did not have to pay back everything, that they would let you come in on a bargain or are they forced to collect everything that their employer should have paid, if they had been under the system?"

Senator Rasmussen: "You are right. That is what they will have to do."

The motion by Senator Rasmussen carried and the amendment was adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

On page 15, section 7, line 3 after "*contributions*" and before the period insert: "*AND PROVIDED FURTHER, That any member who re-entered service within the ten-year period formerly provided by this section, and who failed to restore withdrawn contributions within the three or five years previously allowed, shall now have two years from the effective date of this 1973 amendatory act to restore said contributions, with interest as determined by the Retirement Board*".

Senator Metcalf moved adoption of the following amendment:

On page 15, beginning on line 5, strike the underscored material on lines 5 through 7.

Debate ensued.

The motion by Senator Metcalf carried and the amendment was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 22, section 10, line 25, add a new paragraph to read as follows:

"Every publicly elected state official who was elected to office prior to the effective date of this 1973 amendatory act, who is currently a member of the Washington state teachers' retirement system may withdraw and transfer to the Washington public employees' retirement system all contributions made by the employer and employee on behalf of the member made to the Washington state teachers' retirement system and a record of his creditable service in that system. Upon receipt of the individual's contributions and a record of his creditable service under the Washington state teachers' retirement system, the Washington public employees' retirement system shall credit that individual with the years of service he was entitled to receive under the Washington state teachers' retirement system within the Washington public employees' retirement system as if that service had been rendered thereunder, and the individual shall thereafter enjoy all the rights and privileges of a member of the Washington public employees' retirement system as if he had been such a member during the periods of service thus credited. Time during which the member was an elected official shall be credited pursuant to this section and/or RCW 41.40.185 as now or hereafter amended."

## POINT OF INQUIRY

Senator Mardesich: "Will Senator Rasmussen yield? Does this amendment in effect say that one who was in the Teachers' Retirement System for, say twenty-five years or thirty years for that matter, since they can run on extended time, assume he was in the Teachers' Retirement System for thirty years and he came across into the legislature, that then he would have a three point credit for every year of his time as a teacher? Just because he served one or two . . ."

Senator Rasmussen: "No, he would have it as an elected official."

Senator Mardesich: "I say would he get three percent credit for every year of his teacher's time?"

Senator Rasmussen: "No. I am getting the signal from the Retirement representative, Mr. Ryan, the answer is no."

Senator Mardesich: "That is the way it read to me when I looked at this."

Senator Rasmussen: "The answer is no and I just cleared this amendment about twenty-five minutes ago in the corridor there."

Senator Mardesich: "So he would get in effect only three percent for his legislative time? Why do you need it at all then? He would get that automatically as a legislator under the State Employees' System, outside of a vesting five years . . ."

Senator Rasmussen: "They are prohibited from being in the State Retirement System. They are members of the Teachers' Retirement System."

Senator Mardesich: "And you cannot be in two at one time?"

Senator Rasmussen: "No. You see the deduction is made but it is paid into the Teachers' Retirement System."

Senator Mardesich: "So you are certain that he would get, as a teacher, if he retired into the State Employees' System he would get only the two years two percent of credit for every year up to that time and then three percent for the legislative time?"

Senator Rasmussen: "Under the present Teachers' Retirement System you do not get two percent credit. I think it is one and three quarters or something like that."

Senator Mardesich: "We have not come out of caucus yet today. That may be history soon."

Senator Rasmussen: "Yes."

#### POINT OF INQUIRY

Senator Guess: "Senator Rasmussen, if this is not going to cost anything what is the advantage of their coming over?"

Senator Rasmussen: "Well, at the present time, Senator Guess, as you well know from the discussions in the caucus on the changing of the Teachers' Retirement System . . ."

Senator Guess: "Later on, yes."

Senator Rasmussen: "The benefits are quite a bit different under the Teachers' Retirement System. In fact, they are considerably lower and we have had a running discussion as to what we could do in order to merge the two systems and make the higher retirement rate of benefit to the teachers. Now it could be done in this manner. Bring all of the teachers into the State Retirement System, bring their annuity benefits and their reserve and combine them in with the Public Employees' System. But due to the Touche Ross Report that they are expecting on the merging of these systems, and as you recall, in the back part of this bill it provided that they be merged by 1975. This is a means where those teacher-legislators can come across and receive the benefits of PERS now without any damage to the retirement system and it probably will be the way that we take the whole group of teachers over. Now understand, Senator Guess, that you cannot deny the benefits that the teachers have under their present system if they stay in that system but if they come across into the Public Employees' Retirement System they say, in effect, 'We leave those benefits behind. We accept the benefits as given by PERS.' And let me give you an example. A teacher with forty years of service would probably achieve a better pension under the Teachers' Retirement System than he would under PERS."

Senator Guess: "What would be the idea of transferring to PERS then if it would be penalizing them?"

Senator Rasmussen: "Because it immediately gives them a better benefit under the PERS system for retirement."

Senator Guess: "But you just said they are going to have less benefits under the PERS than they would if they stayed under the Teachers'."

Senator Rasmussen: "I should qualify that. At the present time the Teachers' Retirement System provides they get two years of credit for out of state teaching. They get two years of credit for educational work of benefit to themselves in their retirement system. They get fifty dollars for each child upon the death of a breadwinner. They have those differences in their retirement system now which are different from PERS, so they would leave those benefits and come across and receive a higher retirement benefit."

Senator Guess: "Senator Rasmussen, you have not gotten to the point. You say that the Teachers' Retirement benefits are lower, therefore they should be costing less. They are going to come into the PERS. They have got a great deal higher benefits in PERS than they

had in the Teachers'. Somewhere actuarially there has to be a day of reckoning. Now who is going to pay for the difference and how much is it?"

Senator Rasmussen: "It is my understanding, Senator Guess, and I am not an actuary, but this was taken up by the Retirement Board, Mr. Baker, with their actuary, Mr. Bleakney, and it was assured that there would be no cost between the two systems by bringing these people in."

Senator Guess: "It was a very neat sleight of hand legerdemain then that you can increase the benefits without increasing the costs. I cannot see it."

Senator Rasmussen: "Senator Guess, I will have you consult with the actuary."

Debate ensued.

#### POINT OF ORDER

Senator Scott: "Mr. President, it seems to me that the amendment deals with TRS. We are talking about PERS. It also seems to me that we have an authorization for a study between now and November. Notwithstanding the fact that I am one of those affected, this makes me very uncomfortable, and I challenge it on scope and object."

#### REMARKS BY SENATOR WOODALL

Senator Woodall: "He made a speech before he raised the challenge. It is out of order."

#### RULING BY THE PRESIDENT

The President: "The point expressed by Senator Woodall is well taken."

#### POINT OF ORDER

Senator Guess: "I raise the point of scope and object."

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, I would not presume to advise you on the ruling but I would think that we are talking here about the qualifications for the PERS System. We are not talking about the qualifications for the Teachers' Retirement System and I think with that in mind that we are dealing with the PERS System and we are not into the TRS. It makes it possible for us to recognize certain service. In the bill later there is allowance for service in the armed forces. I just do not see how this increases scope and object. It just provides another method of qualification for the PERS system."

#### RULING BY THE PRESIDENT

The President: "The President in ruling upon the point as presented by Senator Guess finds that Engrossed Substitute House Bill No. 435 is a measure pertaining to eligibility under the PERS system and the amendment submitted by Senator Rasmussen merely defines one group that is eligible under the provisions. Therefore, the point of order presented by Senator Guess is not well taken."

#### REMARKS BY SENATOR GUESS

Senator Guess: "They are eligible under another system though, aren't they?"

#### REPLY BY THE PRESIDENT

The President: "The President believes that the remarks of Senator Bailey were accurate in that the amendment—the President believes it merely sets up another method of qualification for membership, Senator."

## POINT OF INQUIRY

Senator Dore: "Will Senator Rasmussen yield to a question? Under the Teachers' Retirement System as presented to us, I understand that we were going to make it a two percent multiple of each year based upon the voluntary transfer into the system, into a new system, of both the pension and annuity part of the teachers' program, and of course the pension system is based upon the contributions of the state of Washington. The annuity is based on the teachers' own retirement but I understand they were going to voluntarily transfer this in. Now under your amendment as I read it, they would pay in all of the contributions made by them in their pension system but this would not affect the annuity. They, as I read it, would have the full benefits of the tripling and they would have their annuity on top of it. There is nothing in the amendment I see where they will transfer their annuity in."

Senator Rasmussen: "Senator Dore, every publicly elected state official who was elected to office prior to the effective date of this 1973 amendatory act who is currently a member of the Washington State Teachers' Retirement System may withdraw and transfer to the Washington Public Employees' Retirement System all contributions made by the employer and the employee, which would take care of that."

Senator Dore: "No, on behalf of the member made to the Washington State Teachers' Retirement system and a record of accreditable service, and that is it, nothing about the annuity."

Senator Rasmussen: "Senator Dore, their annuity portion that you speak of is the portion that we call our contribution, our six percent, and which they are contributing five percent at the present time. Under the new Teachers' Retirement System as proposed they would be contributing the six percent and it would be called a tax contribution, or a . . ."

## REMARKS BY SENATOR BAILEY

Senator Bailey: "Senator Dore does not read this the way I do. On a pension system the part you pay in is the annuity. The part that the state pays in is the pension. You get a record of your annuity every year and how much you have in it and your interest. That is your annuity. That is your contribution. The pension part is the part that the state pays in or your employer pays in for you. But if there is any doubt about the details, I am going to settle it now. I am going to move that we be at recess until two-thirty for the purpose of lunch."

## MOTION

At 12:30 p.m., on motion of Senator Bailey, the Senate recessed until 2:30 p.m.

## AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.  
There being no objection, Senator Dore was excused.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, by Committee on State Government (originally sponsored by Representatives Bausch, Hendricks, Thompson, Adams, Bagnariol, Bauer, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Parker, Paris, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Revising the laws relating to the state employees' retirement system.

The Senate resumed consideration of Engrossed Substitute House Bill No. 435, as amended by the Senate, and the pending amendment by Senator Rasmussen to page 22, section 10, line 25, moved for adoption previously today.



## POINT OF INQUIRY

Senator Canfield: "I would appreciate it very much if Senator Rasmussen would yield and explain in simple language just exactly what is the effect of this amendment, what it actually does and whether in fact it does give to teacher-legislators or legislator-public employees generally all the benefits of every system with none of the drawbacks of any and I wonder if that is a loaded question, Senator, or if you would explain it, please, in a very simple manner just what this does to various categories of legislator-employees?"

Senator Rasmussen: "I do not think we are talking about all systems. We are only talking about Public Employees versus Teachers and the teacher that comes across into Public Employees' Retirement System would come into PERS and accept the sixty percent limitation, would accept the fact that they could not draw out their annuity without losing their pension. They also would retire at a better pension, they would retire at two percent times their average two years highest salary against the Teachers' Retirement System where they would have unlimited, rather than the sixty percent limitation, they would have the advantage in the Teachers' Retirement of death benefits for the children. They would also have the burial fund of five hundred dollars, they also would have the advantage of being credited with four years out-of-state services toward their retirement, and would retire at about one hundred and fifty to two hundred dollars less, all depending on the length of service. If they had forty years of service as a teacher, why they would probably under their annuity system be able to draw more. Now the teachers also can draw their annuity portion out and leave the employees' portion in, which some of them like to do, but they have to make that decision, 'Will I accept PERS with its restrictions or will I accept the Teachers' Retirement with the advantages I see for myself?' Either way, under the Bakenhus decisions we cannot change that. They have to make their own decision."

Senator Greive moved adoption of the following amendments by Senators Greive and Dore to the amendment by Senator Rasmussen:

In line 6 of the amendment after "an employee" and before "on behalf" insert ", including all contributions placed therefor in the annuity fund,"

In the last line of the amendment to page 22, section 10, line 25 after "amended" and before the period insert ": PROVIDED, That upon transferring to the Washington public employees' retirement system any such credit given for service as a teacher and credit given for service as an elected official shall be differentiated for purposes of receiving any retirement allowance under said public employees' retirement system, such retirement allowance being equal to no more than two percent of the average final compensation for each year of service as a teacher and no more than three percent of the average final compensation for each year as an elected official".

## POINT OF INQUIRY

Senator Canfield: "Will Senator Rasmussen yield? Senator Rasmussen, I want to make a statement and I would like you to tell me whether or not it is correct under your amendment. And so this is in the nature of a question to you. Will these figures be correct? If a person teaches for a period of years, we will say twenty years, and at the same time is a legislator for twenty years, for the same period of time, ten years, fifteen, twenty, whatever, then would the pension be figured at the highest average as two years salary the combined salary of the two jobs, that is teaching and legislative service, the pension would be for the total period of years served in both capacities, the combined salary of both jobs at three percent?"

Senator Rasmussen: "The answer is yes, if the total time was served as a legislator."

Senator Canfield: "At the highest salary paid for the period served as either a legislator or a teacher?"

Senator Rasmussen: "No."

Senator Canfield: "The combined salaries of both I mean, the combined salaries of teacher and legislator."

Senator Rasmussen: "To make this clear, take the case of a person that is ten years as a teacher, ten years as an employee of a city or ten years working for a PUD or the county which you have many different categories here working in the legislature. But that ten years

of service would be counted as two percent times the years of service or would be twenty percent. Then if they had an additional ten years in which they worked for the county, the city or a PUD and then as a legislator that ten years would be counted as three percent so it would be thirty percent for the ten years, where you had the combined service, there would be twenty percent for the ten years of single service as a PUD, teacher or city employee. The total would be fifty percent of the highest two years of consecutive salary at whatever they were earning. If they were earning ten thousand dollars a year and they were earning thirty-six hundred dollars as a legislator, the salary would be combined but they could not get two pensions. It would all be included in one."

Senator Canfield: "Just so we do not get the issue confused, if the service as a teacher, for instance, is rendered at the same time the legislative service is rendered, ten years serving as both, as a teacher, as a legislator, the same ten years, the pension would be three percent for the total number of years served at the combined salary earned for the two jobs?"

Senator Rasmussen: "Yes, that is correct."

Senator Canfield: "The combined salary. Yes or no, Senator?"

Senator Rasmussen: "That is correct. The same as they were working for any other municipality."

Senator Canfield: "Exactly and we haven't any other legislators."

The motion by Senator Greive carried and the amendment to the amendment was adopted.

The amendment by Senator Rasmussen, as amended, was not adopted on a rising vote.

On motion of Senator Metcalf, the following amendment was adopted:

On page 29, strike the underscored material on lines 8 and 9.

Senator Atwood moved adoption of the following amendment by Senator Ridder:

On page 29, beginning on line 19, strike section 16 and renumber the remaining sections consecutively.

Debate ensued.

The motion carried and the amendment was adopted.

#### POINT OF INQUIRY

Senator Rasmussen: "I was going to ask, it was my understanding in the Ways and Means they struck the secrecy clause out of this bill. Do you recall?"

Senator Donohue: "I think that is correct. There was an amendment that we discussed and approved. I think Senator Atwood did have the amendment."

Senator Rasmussen: "Mr. President, could I ask the clerk, on page 14, section 3, on line 8, 'notwithstanding any other provisions of the law to the contrary the legislature hereby recognizes the right of privacy'. Was that stricken by amendment?"

The President: "Senator Rasmussen, the Secretary has advised the President that such material has been stricken."

Senator Rasmussen: "The secrecy clause is out then?"

The President: "Yes, Senator."

On motion of Senator Ridder, the committee amendment to the title was adopted.

On motion of Senator Ridder, Engrossed Substitute House Bill No. 435, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 435, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe,

Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Wanamaker, Whetzel, Woody—40.

Voting nay: Senators Murray, Twigg, Washington, Woodall—4.

Absent or not voting: Senators Canfield, Durkan, Talley, Walgren—4.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTES

Statement on floor votes concerning amendments to Engrossed Substitute House Bill No. 435:

Since I am a teacher-legislator and any word pro or con might have been misconstrued in the light of the floor discussion, I absented myself for all such votes and all such discussion. The amendments above mentioned were defeated. Had they been adopted there would have been a direct benefit to me in my capacity as a teacher-legislator.

Signed by: Senator Robert Ridder.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED HOUSE BILL NO. 305, by Representatives Pardini, Adams, Kopet, Thompson, Cunningham and Hendricks (by Department of Social and Health Services request):

Providing additional procedures for enforcing support obligations.

The Senate resumed consideration of Engrossed House Bill No. 305, as amended by the Senate, and the amendment by Senator Woody beginning on page 1 and the Point of Order by Senator Jones on the amendment by Senator Woody proposed earlier today.

#### RULING BY THE PRESIDENT

The President: "In ruling on the point of order presented by Senator Jones, the President finds that Engrossed House Bill No. 305 is a measure which pertains to collection procedures for the purpose of recovering delinquent support payments due to recipients.

"The amendment as proposed by Senator Woody, however, sets up a complete new department within the Department of Social and Health Services which department would be investigatory in nature and have broad sweeping powers to commence proceedings which would result in criminal prosecutions for any violations of departmental regulations.

"The amendment does, therefore, increase the scope and object of the bill and the point of order is well taken."

The amendment by Senator Woody was ruled out of order.

On motion of Senator Day, Engrossed House Bill No. 305, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 305, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day,

Donohue, Durkan, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall—45.

Voting nay: Senators Fleming, Woody—2.

Absent or not voting: Senator Walgren—1.

Excused: Senator Dore—1.

ENGROSSED HOUSE BILL NO. 305, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 2555, by Senators Herr, Donohue, Twigg, Lewis (Harry), Henry, Keefe, Woodall and Connor:

Reducing liquor tax from four to two cents per fluid ounce.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 2, section 1(3), line 17 strike "two" and insert "three".

### POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Mardesich yield? Senator Mardesich, my interpretation of the reasoning of this bill is to reduce the amount of loss of revenue that has been going out of the state and bring it back down. Now is the three percent figure going to bring us in line with Idaho and Oregon or are we just using the three percent figure on an ambiguity? I am rather interested in that."

Senator Mardesich: "I would assume that if you carried the logics of revenue far enough, then we should eliminate the two and make it zero and then all the people in Oregon would come over here. And then maybe we would be better off but I do not buy that type of logic."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Henry, Engrossed Senate Bill No. 2555 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2555, and the bill passed the Senate by the following vote: Yeas, 28; nays, 19; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Clarke, Day, Donohue, Durkan, Fleming, Grant, Greive, Henry, Herr, Keefe, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Newschwander, Peterson (Lowell), Ridder, Sandison, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall, Woody—28.

Voting nay: Senators Atwood, Bottiger, Canfield, Francis, Gardner, Guess, Jolly, Jones, Knoblauch, Mardesich, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Sellar, Talley, Washington, Whetzel—19.

Absent or not voting: Senator Connor—1.

Excused: Senator Dore—1.

ENGROSSED SENATE BILL NO. 2555, having received the 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 Senator Henry, Engrossed Senate Bill No. 2555 was ordered immediately transmitted to the House.

SENATE BILL NO. 2458, by Senators Francis, Washington, Bottiger and Gardner: Enacting the Gasoline Dealer's Act of 1973.

## MOTIONS

On motion of Senator Francis, Substitute Senate Bill No. 2458 was substituted for Senate Bill No. 2458 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Francis, Substitute Senate Bill No. 2458 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Woodall: "Would Senator Mardesich yield? Do we still plan to quit this day? Do we still plan to quit at midnight and also under the new concept, what will be the status of Senate bills we pass today which do not pass the House. Are they alive in September or do we have to do it all over again? What I am asking is, are these merely exercises this afternoon or is there some purpose in voting on Senate bills at this time?"

Senator Mardesich: "I would agree with you to some extent that it would be extremely difficult for this measure to clear the legislature with respect to at least most of those Senate bills that are on the calendar remaining. There is very little reason to consider them. I am not saying that we will be out of here at midnight tonight or five o'clock tomorrow morning but we are attempting to clear up the business by midnight. If we do not we will stay until the wee hours until we do and that may make a concurrent resolution necessary. With respect to the situation, what condition the bills are in in the interim as we have discussed this problem more and more with our various chairmen and facing the fact that a SINE DIE does in fact carry the bills along with it, kills the bills in effect, we have been discussing for the past few days whether we should maintain the bills in the status they were in in the committees or whether we should merely allocate to committees, as the chairmen come to us with requests, subject matter for consideration. Up to this moment, and we had discussed this problem I guess with possibly eighty percent of the people who are concerned here so far and we have been trying to struggle through contacting almost everyone but of course there are time limitations. But it appears to be the very broad consensus that the bills would die and there would be referrals to the committees by the Rules Committee and subject to the chairmen giving us requests with respect to particular subject matter that they wish to hear. Now that is not a settled matter yet but that seems to be a general consensus now."

## REMARKS BY SENATOR FRANCIS

Senator Francis: "Mr. President, on that subject and in further reply to Senator Woodall, it has not been decided until we pass a sine die resolution and I am certainly hoping that all of the bills will retain their status to this extent and that is that we plan on passing them back across to the House that they were in at the time that we sine die just as we did at the end of the regular session. It seems to me that this is a continuing special session in September and if we want to make our work here mean anything it means that as of the first day that we meet in September we pass the bills that ended in the House, the Senate bills that ended in the House today, we pass them back to the House on that first day so that the House can get to work on them. I would hope that is what we will do and I expect it is what we will do."

## POINT OF INQUIRY

Senator Peterson (Lowell): "Senator Mardesich, you made one remark that you said you presumed that the bills would die and then at least the concensus of . . ."

Senator Mardesich: "I do not presume, I know as a matter of law they would die with the sine die resolution. Whether we do anything to change that situation is the question. And I am sure they are dead anyway. Legally, when sine die comes, no bill would be alive."

Senator Peterson (Lowell): "Are bills going to be assigned to the appropriate committees for further study to bring back in September?"

Senator Mardesich: "That is what I said. I thought that it was the general concensus, although I do not say it is the total concensus by any means, but that the chairmen would simply come to us and say, 'We are going to study this subject' and you might have two or three bills on that subject rather than a particular bill that you would study. But that is not a closed subject. We have been discussing it with various chairmen and members of the Senate."

## POINT OF INQUIRY

Senator Rasmussen: "What you are saying to any chairman, all the bills are dead. The ones that he wants to see revived along with his committee they will breathe a little life into them as of the next session and they will automatically be there and be ready to move."

Senator Mardesich: "Just like it is now except that I do not think that he would ask for a particular bill. He would say, I want to study this subject of whatever, and he would go study the subject of whatever rather than we would assign to him a particular bill for study."

Senator Rasmussen: "I would say for all Senators to take a deep breath before the next session."

## POINT OF INQUIRY

Senator Ridder: "I do not understand for what reason that Senator Mardesich brings this to the floor. I think it is a caucus issue that we should discuss in caucus at length. It is one that we have been discussing over a period of time and maybe I have just . . ."

Senator Mardesich: "You people are the ones asking the questions. I am not."

Senator Ridder: "We will ask them."

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2458, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-42.

Voting nay: Senators Guess, Lewis (Bob), Matson, Newschwander, Talley, Twigg-6.

Absent or not voting: Senator Donohue-1.

SUBSTITUTE SENATE BILL NO. 2458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the second order of business.

## REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred House Bill No. 590, providing for representation of breeders of quarterhorses on the racing commission, have had the same under consideration, and we recommend that the Senate amendment to page 2, adding new sections 2 through 7, which was not concurred in by the House, be adopted, and the bill do pass as originally amended by the Senate.

Signed by: Senators Keefe and Peterson (Lowell); Representatives Johnson (Doris) and Chatalas.

## MOTION

Senator Keefe moved that the report of the Conference Committee on House Bill No. 590 be adopted.

Debate ensued.

The motion by Senator Keefe carried and the report of the Conference Committee was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 590, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; absent or not voting, 1.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Grant, Greive, Henry, Herr, Keefe, Knoblauch, Lewis (Harry), Marsh, Mattingly, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Woody—29.

Voting nay: Senators Atwood, Canfield, Clarke, Gardner, Guess, Jolly, Jones, Lewis (Bob), Mardesich, Matson, Metcalf, Murray, Newschwander, Scott, Sellar, Wanamaker, Washington, Whetzel, Woodall—19.

Absent or not voting: Senator Odegaard—1.

HOUSE BILL NO. 590, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 766, except the following amendment:

Beginning on line 3 of the title of the engrossed and printed bill, after "RCW 69.40.064;" strike all of the material down to and including "69.40.065;" on line 5, and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Day, the Senate receded from its amendment to the title on Engrossed House Bill No. 766.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 766, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall—45.

Voting nay: Senator Woody—1.

Absent or not voting: Senators Lewis (Harry), Matson, Whetzel—3.

ENGROSSED HOUSE BILL NO. 766, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED HOUSE BILL NO. 161, by Representatives Williams, Lysen, Randall, Parker, Flanagan, Beck, Eng, Erickson, Kilbury, Smith, Smythe and Valle (by Permanent Property Tax Committee request):

Providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes.

## REPORT OF STANDING COMMITTEE

April 7, 1973.

ENGROSSED HOUSE BILL NO. 161, providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, subsection (4), line 31, after "section" strike all the material down to and including "act" on page 3, line 2.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Canfield, Grant, Marsh, Peterson (Ted), Ridder, Sandison, Scott.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

On motion of Senator Rasmussen, Engrossed House Bill No. 161 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 161, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Connor, Fleming, Guess, Matson, Washington—5.

ENGROSSED HOUSE BILL NO. 161, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 53, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendments to Substitute House Bill No. 53, and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 53, and the Senate amendments thereto: Senators Odegaard, Matson and Donohue.

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2096, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF FREE CONFERENCE COMMITTEE

April 11, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2096, setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180 day school year, have had the same under consideration, and we recommend that all Senate and House amendments be stricken and the bill be restored to its original form, and further that the following section be added:

“*NEW SECTION. Sec. 2.* This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.” and further that the following title amendment be adopted:

Beginning on line 4, after “170” insert “; and declaring an emergency”.

Signed by: Senators Gardner, Odegaard and Guess; Representatives Bauer, Goltz and Tilly.

#### MOTION

On motion of Senator Gardner, the report of the Free Conference Committee on Engrossed Senate Bill No. 2096 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2096, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—49.

ENGROSSED SENATE BILL NO. 2096, as amended by the Free Conference Committee, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION FOR RECONSIDERATION

Senator Woody having given prior notice, Senator Ridder moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 1047, as amended by the Senate, passed the Senate.

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained by Senators Connor, Talley, Dore, Stortini, Washington, Rasmussen, Clarke, Van Hollebeke and Knoblauch.

## ROLL CALL ON RECONSIDERATION

The Secretary called the roll and the motion for reconsideration failed by the following vote: Yeas, 16; nays, 28; absent or not voting, 5.

Voting yea: Senators Clarke, Grant, Guess, Jones, Keefe, Lewis (Harry), Mardesich, Mattingly, Metcalf, Newschwander, Peterson (Ted), Twigg, Walgren, Wanamaker, Whetzel, Woody—16.

Voting nay: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Dore, Durkan, Fleming, Francis, Gardner, Greive, Herr, Jolly, Knoblauch, Marsh, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Washington, Woodall—28.

Absent or not voting: Senators Day, Donohue, Henry, Lewis (Bob), Matson—5.

## MOTION

On motion of Senator Ridder, Engrossed House Bill No. 1047, as amended by the Senate, was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, and asks the Senate to recede therefrom and said bill together with the amendments thereto are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Van Hollebeke, the Senate insists on its position on the Senate amendments to Engrossed Substitute House Bill No. 711, and asks the House to recede therefrom.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED SENATE BILL NO. 2803, and the Speaker has appointed as members of the conference committee thereon: Representatives Bagnariol, Shipoch and Kopet.

DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 14, 1973.

The House refuses to recede from its amendment to ENGROSSED SENATE BILL NO. 2306, and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees: Representatives Haussler, Julin and Kalich.

DONALD R. WILSON, Assistant Chief Clerk.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2306, and the House amendment thereto: Senators Fleming, Murray and Talley.

## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## SECOND READING

HOUSE BILL NO. 648, by Representatives Thompson, Kelley and May:  
Implementing the law of industrial insurance.

The bill was read the second time by sections.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 1, section 1, lines 10 and 12, strike "seven" and insert "five".

On line 12, after "motion," and before "readjust" insert "within the five year period,"

Debate ensued.

## POINT OF INQUIRY

Senator Grant: "Would Senator Lewis yield to a question? Is there any difference in the time limitation for opening of a claim under workmen's compensation with your amendment than the present law?"

Senator Lewis (Harry): "Yes, there is a difference in that my amendment would restrict the director from an open ended ability to open the claim to a five-year limitation. There is some strong feeling that actually five years is too long. The present statute is too long for an employee to open up a potential claim and the discretionary power of the director should certainly be in the same area. Senator Grant, I think we both know the facts of this. This bill was actually introduced because one person was turned down because his case was not industrially related in eye damage and a group of people decided that they would introduce a bill to try to correct it. In my view the best thing we could do is to lay this bill to rest permanently but in the spirit of trying to cooperate with you I have tried to

tighten it up a little bit and my amendment really does not hurt the legislation. I would like to do a lot more to it than I have suggested, but I think this amendment is very properly in order and if we adopt legislation for single individuals who are dissatisfied with rulings on industrial insurance claims when you know and I know that this is the purpose of this legislation then we would have millions of bills instead of thousands in here. And so the answer to your question, Senator Grant, is that it does change the bill slightly. It tightens it slightly and it is a very proper amendment."

Senator Grant: "Thank you for the response, Senator Lewis. I think it is obvious what you are intending by the amendment. I do not recall your attending the meeting of the Labor Committee at which this matter was discussed. I do not recall any testimony of the fact that the measure would only apply to one individual. As a matter of fact I think that both labor and industry who testified regarding this matter felt that there might be a problem, particularly as regards the time limitation of claims involving loss of vision, function of the eyes. And if my memory serves me correctly, in the Labor Committee where this was discussed there were several instances pointed out where the time limitation had run out and I think that your amendment is designed strictly to destroy the measure and I think the measure has merit without the adoption of the amendment. I would urge members of the Senate that you defeat the amendment."

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained by Senators Woody, Bailey, Bottiger, Talley, Stortini, Fleming, Metcalf, Grant and Day.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Lewis (Harry) failed and the amendment was not adopted by the following vote: Yeas, 19; nays, 28; absent or not voting, 2.

Voting yea: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—28.

Absent or not voting: Senators Durkan, Henry—2.

#### MOTION

On motion of Senator Grant, House Bill No. 648 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 648, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Dore, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—29.

Voting nay: Senators Atwood, Canfield, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senators Durkan, Henry—2.

HOUSE BILL NO. 648, having received the 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 Senator Mardesich, all bills passed thus far today were ordered immediately transmitted to the House.

There being no objection, the Senate returned to the second order of business.

## REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, enacting the flammable fabrics act, have had the same under consideration, and we recommend that the following Senate amendments be stricken:

On page 1, line 2 of the title, after "crimes;" strike "and" and after "penalties" and before the period insert "; and setting an effective date".

On page 3, line 11, after "affected." add a new section as follows:

"*NEW SECTION.* Sec. 11. This act shall be effective one year from the date of its enactment by the legislature: PROVIDED, That any article which will come within the provisions of this act shall carry the following label as of July 14, 1973: "WARNING: This garment does not comply with federal or Washington state standards for the flammability of children's sleepwear." Further, this label shall be clearly visible and brought to the attention of any prospective purchaser."

Renumber remaining section, and the remaining Senate amendments be adopted.

Signed: Senators Woody, Jones and Greive; Representatives Valle and Wojahn.

## MOTION

Senator Mardesich moved that the report of the Conference Committee on Engrossed Substitute House Bill No. 993 be adopted.

Debate ensued.

The motion by Senator Mardesich carried and the report of the Conference Committee was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 993, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-45.

Absent or not voting: Senators Connor, Lewis (Harry), Murray, Talley-4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

While I voted for and fully supported the concept of Engrossed Substitute House Bill No. 993, I would be remiss if I did not put in writing my statement made on the floor of the Senate concerning this legislation. It appears to me that the Conference Committee Report was deficient, in that it was in direct conflict with the federal law covering the same subject

matter. The federal act preempts the field and yet Engrossed Substitute House Bill No. 993 provides requirements which are in direct conflict with the federal act.

Therefore it is my belief that this measure will fail in part, because of the sovereignty provision of the federal act.

Signed by: Senator Martin J. Durkan.

#### MESSAGES FROM THE HOUSE

April 14, 1973.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 2382,

ENGROSSED SENATE BILL NO. 2504, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 252, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 704, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1005, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 731, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 160, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 721, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 485, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 674, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 76, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 638, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 621, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 2105,

SUBSTITUTE SENATE BILL NO. 2226,

SENATE BILL NO. 2490,

SENATE BILL NO. 2833,

SENATE BILL NO. 2835,

SENATE BILL NO. 2847,

SENATE BILL NO. 2918, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 2066,

SENATE BILL NO. 2088,

SENATE BILL NO. 2183,

SENATE BILL NO. 2190,

SUBSTITUTE SENATE BILL NO. 2250,

SENATE BILL NO. 2270,

SUBSTITUTE SENATE BILL NO. 2336,

SENATE BILL NO. 2337,

SENATE BILL NO. 2513, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 362, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed SENATE BILL NO. 2452, with the following amendments:

On page 5, section 1, beginning on line 11 after "and with" strike everything down to the period on line 18 and insert "[the same interest (not to exceed six percent) and penalties, and when collected shall be deposited to the credit of the general fund of the municipality: PROVIDED, That if the total assessment due and owing exceeds twenty-five dollars the local governing body shall, upon written request of the owner or party in interest, divide the amount due into ten equal annual installments, subject to earlier payment at the option of owner or party in interest] *interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the municipality*".

On page 5, section 1, beginning on line 27, strike everything down to and including the period on page 6, line 33 and insert:

*"The demolition assessment shall constitute a lien against the property of equal rank with state, county and municipal taxes."*, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Bottiger, the Senate concurred in the House amendments to Senate Bill No. 2452.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2452, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senators Connor, Day, Dore, Lewis (Harry)—4.

SENATE BILL NO. 2452, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 2211, by Senators Francis and Whetzel:

Allowing prosecutor of King County to contract with attorney general to initiate support proceedings.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2211 was re-referred to the Committee on Rules.

SENATE BILL NO. 2129, by Senators Bottiger, Stender, Rasmussen, Mardesich and Grant:

Allowing qualified lay persons to represent others in proceedings before the board of industrial insurance appeals.



## MOTION

On motion of Senator Mardesich, Senate Bill No. 2129 was re-referred to the Committee on Rules.

SENATE BILL NO. 2046, by Senators Scott and Marsh:  
Repealing the host-guest statutes.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2046 was re-referred to the Committee on Rules.

There being no objection, the Senate returned to the third order of business.

## MESSAGE FROM THE GOVERNOR

Office of the Governor, April 14, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval SENATE BILL NO. 2339 entitled:  
"An Act relating to state government."

This bill would establish an advisory council, composed of ten members, to the director of the department of fisheries. Nine of the ten members would be appointed by the legislative interim committee on fisheries, game and game fish, or in the event that committee does not exist, by the standing committees on natural resources.

The provisions contained in this bill for appointment of advisory council members conflicts with the traditional limits of the doctrine of separation of powers between the legislative and executive branches of government. Moreover, there already exists an advisory committee to the department established by executive action. In addition, the standing committees of the legislature, having independence and the authority of legislative review, are better able to serve the purposes with which this proposed advisory council would be charged.

Accordingly, for the reasons set out above, I have determined to veto Senate Bill No. 2339.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

## MOTION

On motion of Senator Mardesich, the veto message from the Governor, together with Senate Bill No. 2339, was returned to the Committee on Rules.

## MOTION

At 4:40 p.m., on motion of Senator Mardesich, the Senate recessed until 6:30 p.m.

## EVENING SESSION

The President called the Senate to order at 6:30 p.m.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2256,  
SENATE BILL NO. 2294,

SENATE BILL NO. 2319,  
 SENATE BILL NO. 2435,  
 SUBSTITUTE SENATE BILL NO. 2531,  
 SUBSTITUTE SENATE BILL NO. 2589,  
 SENATE BILL NO. 2643,  
 SUBSTITUTE SENATE BILL NO. 2740,  
 SUBSTITUTE SENATE BILL NO. 2813.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 2854, with the following amendments:

On page 2, section 7, between lines 19 and 20, insert:

General Fund Appropriations for judges' retirement fund contributions for  
 1971-73 biennium . . . . . \$67,499"

On page 5, section 23, line 23, after "ending" and before "31" strike "January" and insert "March".

On page 5, section 23, line 25, strike "\$18,000" and insert "\$56,196".

On page 8, section 35, on line 31 strike "at any race meet" and on line 33 strike "at such meet".

On page 10, section 38, line 1 after "Appropriation" insert ": PROVIDED, That the Utilities and Transportation Commission is hereby authorized to enter advanced orders of up to \$250,000 of this appropriation for installation and maintenance of grade crossing projects in advance of July 1, 1973: PROVIDED FURTHER, That no expenditures may be made from this appropriation after July 1, 1973".

On page 15, section 49, line 2, strike "\$27,986,793" and insert "\$28,091,336".

On page 15, section 52, line 12, strike "\$2,818,326" and insert "\$2,878,326".

On page 17, section 60, line 9, after "Appropriation" insert ": PROVIDED, That up to \$500,000 of this appropriation may be utilized by the Director of the Department of Motor Vehicles, at his discretion, to fund the continuation of the department's program in highway safety for control and identification of the drinking driver, known as Alcohol Safety Action Project (A.S.A.P.)".

On page 17, section 62, line 33, after "proviso" and before the leaders insert ": PROVIDED FURTHER, That in order to prevent unnecessary expenditures it is the intent of the legislature that the department make use of the air monitoring and surveillance capabilities of activated air pollution control authorities wherever possible".

On page 18, section 66, line 20, strike "14,582,511" and insert "14,659,882".

On page 19, section 70, line 10, after "Appropriation:" strike all down to and through the word "biennium" on line 14 and insert "PROVIDED, That \$200,000 will be used only for salt water rearing pens and food for the Sport Fishery Enhancement Program".

On page 23, section 80, line 26, strike "\$206,415" and insert "\$231,631".

On page 25, section 86, line 13, after "month," strike all the material down through and including "funds" on line 15 and insert: "and up to \$15 per month for local school district employees provided the respective local districts contribute not less than an additional \$5 per month for such employees from local funds".

On page 27, section 86, line 12, strike "\$46,773,440" and insert "\$29,000,000".

On page 27, section 86, line 21, after "1973" insert "and for comparable salary increases for employees of judicial agencies".

On page 27, section 86, line 21, strike "\$13,000,000" and insert "\$13,898,615".

On page 28, section 86, line 3 after "50%" insert ", effective January 1, 1974,".

On page 28, section 86, line 15 after "of" strike "four" and insert "three and one-half".

On page 28, section 86, line 17 after "on" strike "January 1" and insert "February 2".

On page 28, section 86, line 30 after "For" strike "a" and insert "an average".

On page 28, section 86, line 33 after "September 1, 1973:" strike all the matter down to and including "formula" on page 29, line 2 and insert "PROVIDED, That it is the intent

of the legislature that these funds shall be used exclusively for salary increases, exclusive of increments, for certificated employees and shall be allocated through the school apportionment formula: PROVIDED FURTHER, That if school districts do not grant certificated employees a salary increase equal to an average of 5 percent, exclusive of increments, funds distributed for this purpose through the apportionment formula shall be reduced proportionately."

On page 29, section 86, between lines 2 and 3 insert the following:  
 "General Fund Appropriation: For continuation of the \$40 per month salary increase provided February 2, 1973: *Provided*, That these salary increase funds shall be allocated through the school apportionment formula .....\$ 19,114,368"

On page 29, section 86, after line 10 add a new line:  
 "State Treasurer's Service Fund Appropriation .....\$ 45,586"

On page 36, section 107, line 16 after "Appropriation:" strike all of the matter through "(SB 2490)" on line 17 and insert:

"To the Department of Labor and Industries for the purpose of carrying out the provisions of Chapter ..., Laws of 1973, 1st ex. sess. (SB 2490)"

On page 36, after section 108, line 21, insert the following new section:  
 "NEW SECTION. Sec. 109. FOR DEPARTMENT OF LABOR AND INDUSTRIES

The following sums or so much thereof as shall be found necessary are hereby appropriated out of the several funds indicated, for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided.

Plumbing Certificate Fund Appropriation: To certify plumbers as provided in Chapter..., Laws of 1973, 1st Ex. Sess. (SB 2101): *Provided*, That expenditures shall not exceed revenues .....\$ 59,000

Electrical Certificate Fund Appropriation: To certify electricians as provided in Chapter ..., Laws of 1973, 1st Ex. Sess. (SB 2183): *Provided*, that expenditures shall not exceed revenues .....\$ 80,500

Accident Fund Appropriation: For the purpose of providing for additional operating expenses as authorized in Chapter 80, Laws of 1973 (SB 2386)...\$ 99,812

Medical Aid Fund Appropriation: For the purpose of carrying out the provisions of Chapter 80, Laws of 1973 (SB 2386) .....\$ 7,513"

Remember the remaining sections accordingly.

On page 37, section 109, line 6, strike "\$33,000" and insert "\$37,950"

On page 37, section 109, line 7, strike "\$33,000" and insert "\$37,950"

On page 37, section 109, between lines 16 and 17 add a new line-item—

"Full time District Court Judges: *Provided*, That no funds shall be allocated from this appropriation to implement these salary increases .....\$ 26,000"

On page 37, between lines 22 and 23, insert the following new section:

"NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: For allocation by the Superintendent of Public Instruction for classified employees salary increases based on local prevailing wage rates and where appropriate equation with the State Department of Personnel salary schedule: *Provided*, That the Superintendent of Public Instruction is authorized to expend from this appropriation an amount not to exceed \$50,000 for the conduct of a salary survey prior to the allocation of this appropriation: *Provided, further*, That the Superintendent of Public Instruction is authorized to appoint a five member advisory committee to assist in developing guidelines and criteria for allocation of this appropriation .....\$ 5,000,000"

Remember the remaining sections accordingly.

On page 38, section 112, line 3, after "Need" insert "Commission".

On page 38, line 6, insert a new section:

"NEW SECTION. Sec. 113. There is hereby appropriated to Western Washington State College from the general fund \$12,500 to be used in the 1973-75 biennium to cover costs incurred in hosting the Symposium on Canadian-American Relations."

Remember the remaining sections consecutively.

On page 38, section 116, line 24, strike all the material down through and including the period on line 33.

Renumber the remaining sections consecutively., and the same is herewith transmitted.  
DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

Senator Durkan moved that the Senate do concur in the House amendments except for the amendments to page 8, lines 31 and 33; also the amendments to page 37, lines 6 and 16. Debate ensued.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Durkan yield? Senator, the language in the amendment the House inserted on page 1, lines 31 and 33, has now been added by the Free Conference report on House Bill No. 590 that went out of here. I do not see why we should not just concur in their amendment."

Senator Durkan: "The question is raised in my mind whether or not the language in the bill is proper. It probably more properly belongs in the budget. That is probably the best place for it."

Senator Atwood: "I think the reverse would be true, Senator. This is substantive legislation in the, actually, in the budget bill and House Bill No. 590 would be the proper place for it."

Senator Durkan: "Just a little insurance, Senator."

Senator Atwood: "Senator Matson is not on the floor. You have had two cracks at him today. I would have been hopeful that you would have moved to concur in the House amendments on this."

#### MOTION

On motion of Senator Whetzel, the question was divided.

#### MOTIONS

Senator Durkan moved that the Senate do not concur in the House amendments to page 8, lines 31 and 33.

Senator Atwood moved that the Senate do concur in the House amendments to page 8, lines 31 and 33.

The positive motion by Senator Atwood failed on a rising vote and the Senate refused to concur in the House amendments to page 8, lines 31 and 33, and asks the House to recede therefrom.

Senator Durkan moved that the Senate do not concur in the House amendment to page 37, line 6.

Senator Whetzel moved that the Senate do concur in the House amendment to page 37, line 6.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall: "Would Senator Whetzel yield? How much of an increase percentage-wise does that give each of them since they took office in January?"

Senator Whetzel: "Senator Woodall, the salaries of all these elected officials, as you well know, have not been increased for many, many years."

Senator Woodall: "That was not my question, sir."

Senator Whetzel: "If you take the increase from January, you have a high percentage, but if you take the increase from the last time we increased these offices, it works out very much lower. I do not have the percentage figures in front of me, but I think what we are

trying to do is to set some rationale or some basis on all the elected officials. You can also talk about the same increase that we are giving the judges of the Supreme Court."

Senator Woodall: "I asked you what the percent increase on the two offices we are talking about, if you know."

Senator Whetzel: "The percentage increase, as I stated before, is a large one on basis over the present salary, but if you take from the last time there was an increase, it works out to be a lower percentage."

Senator Woodall: "You said that. I think, Mr. President, it is an odd thing that we suddenly have to jump these clear out of reason and to jump them within two thousand dollars of our state Supreme Court is absolutely ridiculous. It is clear out of proportion. You have had ample people willing—fifty dollars less than a Supreme Court judge. That has got to be absolutely ridiculous and you are not going to improve the caliber the next four years. You know, doubling the pay of incompetency does not double efficiency. And it is not going to improve anything. It is not going to help anything, and we are still going to lose just as many lawsuits as we lost before. And I think it is ridiculous to try to boom it up to a figure comparable to a Supreme Court judge."

The positive motion by Senator Whetzel failed on a rising vote and the Senate refused to concur in the House amendment to page 37, line 6, and asks the House to recede therefrom.

On motion of Senator Durkan, the Senate refused to concur in the House amendment to page 37, line 16, and asks the House to recede therefrom.

On motion of Senator Atwood, the Senate refused to concur in the House amendment to page 25, line 13, and asks the House to recede therefrom.

The President declared the question before the Senate to be the motions by Senators Durkan and Atwood that the Senate concur in the House amendments to Substitute Senate Bill No. 2854 except those amendments to page 8, lines 31 and 33; page 25, line 13; page 37, line 6; and page 37, line 16 and asks the House to recede therefrom. The motions carried.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2803, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2803, adopting a budget for the Superintendent of Public Instruction, have had the same under consideration, and we report that we are unable to come to an agreement and respectfully request the powers of Free Conference.

Signed by: Senators Odegaard and Donohue; Representatives Bagnariol, Shinpoch and Kopet.

#### MOTION

On motion of Senator Donohue, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE HOUSE

April 12, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, with the following amendments:

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

*"NEW SECTION.* Section 1. That a budget is hereby adopted for the department of social and health services and its allied agencies and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages and other expenses and for other specified purposes for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION.** Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation: *Provided*, That \$594,866,929 is from state funds and \$6,541,168 is from private and local funds and \$417,713,198 is from federal funds: *Provided*, That any proposal to expend moneys or man years from an appropriated fund or account in excess of appropriations provided by law, based upon the receipt of unanticipated revenues, shall be submitted to the House Ways and Means Committee and to the Senate Ways and Means Committee, if the state legislature is in session, or to the legislative budget committee during the interim between legislative sessions which may authorize the expenditure of unanticipated receipts during the legislative interim arising from federal sources, gifts or grants, by a majority of the members: *Provided*, That \$1,305,000 shall be expended for the maintenance of the program, staff and delivery of service at the Spruce Canyon Youth Camp: *Provided*, That the Department initiate negotiations with the federal government for federal administration of the state supplementation of the supplemental security income program and also initiate negotiations for the optional federal administration of eligibility for medicaid by the adult recipients: *Provided*, That a draft negotiated contract shall be submitted to the Legislative Budget Committee or to the House and Senate Ways and Means Committees if the Legislature is in session by Sept. 15, 1973 for their review and such contract shall not be completed without legislative authorization: *Provided*, That if the claim made by the state to the U. S. Department of Health, Education and Welfare on October 24, 1972 for reimbursement in the amount of \$32,875,903 is sustained or any portion of that claim is sustained such funds shall be deposited by the State Treasurer in Suspense Fund 705 and no allocation or disbursements of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: *Provided*, That all disputes arising between the state and the United States Department of Health, Education and Welfare involving the state's claim to federal reimbursement of state expenditures as provided by the applicable provisions of Titles I, IV, X, XIV, XVI and XIX of the Social Security Act which would have the effect of reducing or increasing any appropriation or any part thereof shall be negotiated and settled only with the consent of a majority of the members of the House Ways and Means Committee and the Senate Ways and Means Committee: *Provided*, That the sum of \$5,508,264 currently being held by the State Treasurer in Suspense Fund 705 pending the completion of a federal review of the legitimacy of the claim for such moneys shall continue to be held and no allocation or disbursements of these funds, except to repay the federal government if necessary, shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: *Provided*, That if the Department claims additional matching for the period of October 1, 1972 through June 30, 1973, or any portion thereof, such moneys shall be deposited by the State Treasurer in Suspense Fund 705 and no allocation or disburse-

ments of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: *Provided*, That the department shall deploy personnel in such a manner as to insure, insofar as is possible, that ineligible persons shall be removed from current caseloads, errors resulting in overpayments or underpayments to recipients shall be corrected, efforts shall be made to insure that only eligible individuals are added to the public assistance caseloads and that caseloads are kept within the estimates for which funds are herein provided: *Provided*, That compliance with this act and the attempt to contain caseloads within acceptable limits shall be accomplished but, notwithstanding the provisions of RCW 74.08.040, the Department shall not impose ratable reductions, or any other form of reduction in public assistance grants which are in addition to, or in any way lower the maximums presently imposed: *Provided*, That the agency charged with the responsibility for performance or management audits shall periodically monitor departmental management to insure that compliance with these provisions is being maintained: *Provided, Further*, That this appropriation shall be expended for the following purposes .....\$ 1,019,121,295

Adult Corrections and Rehabilitative Services Program .....\$ 42,208,916

Juvenile Rehabilitation Program: *Provided*, That it is the intent of the legislature that the delinquency prevention program shall be continued in combination with the protective services program .....\$ 29,994,492

Mental Health Program .....\$ 51,994,015

Developmental Disabilities Program: *Provided*, That \$115,050 is appropriated for auditory training systems for use at the state school for the deaf: *Provided*, That of the new positions authorized in this act twenty-five shall be developmental disability community workers added during the first year of the biennium and an additional twenty-five developmental disability community workers to be added during the second year of the biennium .....\$ 70,118,192

Veterans' Services Program: *Provided*, That the Department of Social and Health Services shall perform an in-depth study regarding the need for the Veterans' Home at Retsil, and the Soldiers' Home and Colony at Orting, and possible alternative approaches to provision of this service including, but not limited to, combining of the programs or closure of one or both homes, and the results are to be reported to the State Legislature prior to October 1, 1973 .....\$ 6,431,756

Income Maintenance Program: *Provided*, That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance: *Provided*, That of this sum \$3,817,082 in state moneys or so much thereof as shall be necessary, shall be employed exclusively for the purpose of providing a state supplement up to the aid to families with dependent children public assistance standards for recipients of unemployment compensation benefits who, except for the restriction on eligibility for those receiving unemployment compensation benefits, meet aid to families with dependent children eligibility standards: *Provided*, That those recipients concurrently receiving unemployment compensation benefits shall not be eligible for additional state funded medical services beyond those services now available to such recipients: *Provided*, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and necessary incidentals shall not exceed fifty percent of the amount which would be paid to such a recipient if he were living in his own home: *Provided*, That of this appropriation \$3,611,163 of which \$1,692,552 is the state share, or so much thereof as shall be necessary, shall be utilized exclusively for the purpose of providing a five percent cost of living increase for recipients of aid to families with dependent children and general assistance from July 1, 1973 through June 30, 1975: *Provided*, That the department shall report to the legislature the total amount of all moneys deposited in the state treasury in nonrevenue accounts and the total of all moneys received for nonassistance support collections accounts and that in no event shall

the department utilize these moneys to establish new programs, to expand existing programs beyond legislatively authorized intent nor to supplant federal funds without specific legislative authorization: *Provided*, That of this amount \$1,731,330 of which the state share shall be \$840,620 shall be utilized exclusively for the purpose of providing a five percent cost of living increase for old age assistance, aid to blind and disability assistance categorical recipients from July 1, 1973 through June 30, 1975: *Provided*, That of this amount \$1,215,043 shall be utilized exclusively for the purpose of providing one hundred additional man-years and related costs within the employment level provided for in section 3 of this act consisting solely of welfare eligibility examiners of claims investigators and supervisors to be utilized in the local offices verification and overpayment control sections and such man-year allocations shall be so distributed as to provide the greatest impact upon insuring that income maintenance payments are made only to eligible recipients: *Provided*, That within the employment level provided in section 3 of this act, not to exceed \$1,049,647 of this amount shall be utilized exclusively for the purpose of providing a total of seventy-six man-years and related costs for the "state investigative unit" whose responsibility shall be to investigate all complaints of fraud and to institute the proper corrective action. ....\$ 350,162,055

Community Social Services Program: *Provided*, That \$2,000,000 of this appropriation shall be used to reimburse those nonprofit voluntary agencies enumerated under RCW 74.15.020 (3) (a), (b) and (c) for costs incurred in the administration, operation and maintenance of such agencies, such costs being in addition to the purchase of care for such children as otherwise authorized by law: *Provided, Further*, That \$786,064 in state funds, or so much thereof as shall be necessary, shall be employed exclusively for the purpose of providing for sixty man-years and related costs to continue the delinquency prevention program: *Provided, Further*, That the department may implement at its discretion a sliding scale of charges in accordance with existing statutes and regulations .....\$ 102,176,039

State General Fund Appropriation: For day care services for former and potential AFDC recipients .....\$ 4,067,000

Medical Assistance Program: *Provided*, That the Department of Social and Health Services shall, commencing August 1, 1973 pay for skilled nursing care not less than the rates of \$12.82 per day per patient for Class I care, and \$10.00 per day per patient for Class II care, and shall pay not less than the rate of \$7.54 per day per resident for intermediate care .....\$ 271,581,120

: *Provided*, That notwithstanding the provisions of RCW 18.51.090, the Department shall make a yearly inspection and investigation of all nursing homes; every inspection shall include an inspection of every part of the premises and an examination of all records including financial records, methods of administration, the general and special dietary, the dispersal of drugs, and the stores and methods of supply. The results of such inspection shall be made available to the House and Senate Ways and Means Committee and to the Legislative Budget Committee.

Public Health Program .....\$ 26,954,251

Vocational Rehabilitation Program: *Provided*, That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance: *Provided*, That an amount up to \$100,000 shall be allocated for the Radio Talking Book program for the blind: *Provided*, That of this appropriation \$150,000 shall be made available exclusively for the purpose of development programs for eligible disabled clients who were in vocational rehabilitation programs pursuant to performance contracts between the department and private placement agencies: *Provided further*, That such services shall be made available in a state-wide program that teaches disabled persons (1) How to inventory their work skills and relate such skills to the labor market; (2) Where jobs fitting their work skills



are most likely to be available; (3) How to conduct a systematic search for employment and how to present themselves most favorably to a prospective employer; and (4) How and where education and training are available to develop or improve marketable work skills. ....\$ 29,888,865

Administration and Supporting Services Program .....\$ 33,554,044

General Fund Appropriation for medical services and supplies including adjustment of hospital costs not in excess of the unexpended balance of the 1971-73 appropriations or allotments for this purpose.

Medical Assistance .....\$ 5,100,000

Vocational Rehabilitation .....\$ 25,000

General Fund Appropriation for grants to communities for mental health and mental retardation construction grants not in excess of the unexpended balance of the 1971-73 appropriations or allotments for this purpose.

Mental Health .....\$ 1,115,996

Developmental Disabilities .....\$ 303,197

*NEW SECTION.* Sec. 3. It is the intent of the Legislature that the department shall not expend in excess of 26,320 man-years during the 1973-75 biennium. The department shall allocate these man-years among the various programs in such a manner as to effect the maximum efficiency and effectiveness possible: PROVIDED, That it is the further intent of the Legislature that in making necessary adjustments in man-years the Department of Social and Health Services shall retain those local office personnel officers and staff needed to maintain adequate position control and, to process personnel actions and that reductions necessitated by legislative intent shall reduce state level personnel officers: PROVIDED, That this restriction shall not apply to staff positions funded by one hundred percent federal moneys in the Office of Disability Insurance throughout the 1973-75 biennium: PROVIDED, That this restriction shall not apply to those staff positions directly concerned with the enumeration and conversion of the current old age assistance, aid to blind and disability assistance programs to Supplemental Security Income as these functions are performed through federal contract and funded one hundred percent from federal moneys for the period up to January 1, 1974: PROVIDED FURTHER, That any deviations from the overall man-year limitations because of these three exceptions shall be promptly reported to the House and Senate Ways and Means Committees chairmen if the Legislature is in session or to the Legislative Budget Committee: PROVIDED, That it is the intent of the Legislature that compliance with overall intent expressed through this act shall result in the least disruption of currently filled positions and that every effort shall be made by the Department, within the rules and regulations of the Personnel Board, to comply with the intended man-year adjustments through failing to fill vacancies caused by attrition and other similar means including reclassifications of existing positions as necessary.

*NEW SECTION.* Sec. 4. It is the intent of the legislature that the department of social and health services retain a degree of flexibility within the eleven purposes for which funds are herein appropriated to meet unforeseen circumstances and to capitalize upon the potential availability of other funds and sources of funds and to that end the department is authorized to seek allotment amendments reducing appropriated amounts up to a maximum of \$5,000,000 and raising other appropriated amounts up to a maximum of \$5,000,000 after notifying the Legislative Budget Committee or its successor of the department's intentions to distribute all or any portion of such moneys.

*NEW SECTION.* Sec. 5. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

*NEW SECTION.* Sec. 6. Notwithstanding any other provision of law, from the total funds reduced as a result of revised caseload and expenditure estimates, a sum of \$10,500,000 shall be held as revenue reserve until the Legislature has had an opportunity to determine whether the estimated caseload and expenditure reductions set forth in the Legislative Auditor's memorandum of March 2, 1973 to the chairman of the House Ways and Means Committee materialize. The department shall review its caseload and expenditure

estimates and submit a report to the chairmen of the House and Senate Ways and Means Committees and the Legislative Budget Committee prior to January 1, 1974. The Legislature shall determine prior to March 1, 1974 whether all or any portion of the amount set out in this section shall be appropriated as a result of revised caseload and expenditure estimates.

*NEW SECTION.* Sec. 7. The words "department and allied agency" used herein means and includes every institution, whether educational, correctional, or other, and division, board and commission, except as otherwise provided in this act.

*NEW SECTION.* Sec. 8. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in this budget, to the department for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. (a) When necessary to limit total state expenditures to available revenues as required by RCW 43.88.110(2); (b) When the department proposes the expenditure of a resource not disclosed in the budget request submitted to the Governor and Legislature: PROVIDED, HOWEVER, That the aggregate of allotments for the department shall not exceed the total of applicable appropriations and local funds available to the department or allied agency. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1973; for the sole purpose of authorizing the department and its allied agencies to order goods, supplies, or services for delivery after July 1, 1973: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1973.

*NEW SECTION.* Sec. 9. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or in the appropriations enacted by the Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

*NEW SECTION.* Sec. 10. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 8. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

*NEW SECTION.* Sec. 11. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

*NEW SECTION.* Sec. 12. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

*NEW SECTION.* Sec. 13. Amounts received by the department or an allied agency as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office

of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

*NEW SECTION.* Sec. 14. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

*NEW SECTION.* Sec. 15. All contract personal services contracts except those for medical and health care and such other contracts which the director of the office of program planning and fiscal management may exempt after consultation with the Legislative Budget Committee shall be filed with the office of program planning and fiscal management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this act.

*NEW SECTION.* Sec. 16. Within the rules and regulations of the Department of Personnel, as applicable, in the filling of vacant positions and in the filling of new positions of employment in state government, preference shall be given, where necessary, to nonwhite and Mexican-American applicants in order to attain the same minority employment ratio in each agency as obtains in the population of the state at large.

*NEW SECTION.* Sec. 17. The department and its allied agencies are hereby authorized and directed to pay their share of the 1971-73 unemployment compensation costs in accordance with section 19, chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 operating appropriations. The director of the office of program planning and fiscal management may require agencies to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

*NEW SECTION.* Sec. 18. 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. 19. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately: PROVIDED, That provisions of this appropriations act shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Odgaard, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2800, with the exception of the following amendment on page 2, lines 9 through 12, which reads as follows: "PROVIDED. That \$1,305,000 shall be expended for the maintenance of the program, staff and delivery of service at the Spruce Canyon Youth Camp:" and asks the House to recede therefrom.

## MESSAGES FROM THE HOUSE

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 305, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 442, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 161, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 766, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, and passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 993, and has passed the bill as amended by the Conference Committee.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 363, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 2736, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## INTRODUCTION AND FIRST READING

ENGROSSED HOUSE JOINT RESOLUTION NO. 37, by Representative Randall:  
Relating to revenue and taxation.

On motion of Senator Mardesich, Engrossed House Joint Resolution No. 37 was advanced to second reading and read the second time in full.

On motion of Senator Gardner, the following amendment by Senators Gardner and Grant was adopted:

On page 3, line 8, strike "property" and insert "capital property as defined by the legislature".

Senator Whetzel moved adoption of the following amendment:

On page 1, line 22, after "percent" insert: "The rate limitations prescribed in subsection (a) and (b) above may be exceeded only if those sections of an act which change such limitations are enacted by a majority of at least two-thirds of the members of each of the two houses of the legislature and are referred to the people and approved by a majority vote thereon at a general election."

Debate ensued.

The motion by Senator Whetzel failed and the amendment was not adopted.

On motion of Senator Mardesich, Engrossed House Joint Resolution No. 37, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 37, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 13.

Voting yea: Senators Bailey, Bottiger, Canfield, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—36.

Voting nay: Senators Atwood, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Newschwander, Rasmussen, Sellar, Twigg, Woodall—13.

ENGROSSED HOUSE JOINT RESOLUTION NO. 37, as amended by the Senate, having received the constitutional two-thirds majority, was declared passed.

#### MOTIONS

On motion of Senator Mardesich, Engrossed House Joint Resolution No. 37, as amended by the Senate, was ordered immediately transmitted to the House.

At 6:40 p.m., on motion of Senator Mardesich, the Senate recessed until 7:45 p.m.

#### SECOND EVENING SESSION

The President called the Senate to order at 7:45 p.m.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2309,

SUBSTITUTE SENATE BILL NO. 2717,

SENATE BILL NO. 2805,

SUBSTITUTE SENATE BILL NO. 2897, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has receded from the House amendments to ENGROSSED SENATE BILL NO. 2361, on page 1, line 8, of the title, page 2, section 1, line 16, and page 7 of the engrossed and printed bills, and passed the bill without the amendments., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2361, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; absent or not voting, 12.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Dore, Fleming, Francis, Gardner, Grant, Greive, Guess, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—37.

Absent or not voting: Senators Connor, Donohue, Durkan, Henry, Jones, Lewis (Harry), Matson, Murray, Peterson (Ted), Sandison, Sellar, Talley—12.

ENGROSSED SENATE BILL NO. 2361, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 174, by Committee on State Government (originally sponsored by Representatives Luders, Knowles, Conner, Bagnariol, Bauer, Kilbury, Haussler and Shinpoch):

Providing for the transfer of certain functions from the DSHS to the legislative budget committee.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

After section 3 of the substitute bill, add additional sections as follows:

"*NEW SECTION.* Sec. 4. In view of the decreased purchasing power of the dollar and the concomitant increase in the cost of living during the past several years, the members of the legislature declare that the twenty-five dollar per diem allowance provided during the past several interims between sessions in lieu of subsistence and lodging is inadequate to cover necessary expenses incurred while serving on official legislative business during the interim. The legislature further finds and declares that forty dollars per day is a fair and adequate allowance to cover such reimbursement.

Sec. 5. Section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 4, chapter 112, Laws of 1967 ex. sess. and RCW 44.04.120 are each amended to read as follows:

Each member of the senate or house of representatives when serving on official legislative business during the interim between legislative sessions, or while serving on the legislative council, the legislative budget committee, or any other permanent or interim committee, commission, or council of the legislature shall be entitled to receive, in lieu of per diem or any other payment, for each day or major portion thereof in which he is actually engaged in legislative business or business of the committee, commission, or council, notwithstanding any laws to the contrary, [twenty-five] *forty* dollars per day, plus mileage allowance at the rate of ten cents per mile when authorized by the house, committee, commission, or council of which he is a member and on the business of which he is engaged."

Debate ensued.

Senator Newschwander demanded a roll call and the demand was sustained by Senators Canfield, Metcalf, Lewis (Bob), Scott, Sellar, Ridder, Grant, Henry, Bottiger and Donohue.

#### ROLL CALL

The Secretary called the roll and the amendment by Senator Mardesich was adopted by the following vote: Yeas, 25; nays, 19; absent or not voting, 5.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Ridder, Stortini, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Scott, Sellar, Twigg, Wanamaker, Whetzel—19.

Absent or not voting: Senators Dore, Lewis (Harry), Sandison, Talley, Woodall—5.

On motion of Senator Mardesich, the following amendment to the title was adopted:

In line 1 of the title, after "government;" and before "and" insert "amending section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 4, chapter 112, Laws of 1967 ex. sess. and RCW 44.04.120; and adding a new section".

On motion of Senator Mardesich, Substitute House Bill No. 174, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 174, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 19; absent or not voting, 4.

Voting yea: Senators Bailey, Bottiger, Connor, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Stortini, Van Hollebeke, Walgren, Washington, Woody—26.

Voting nay: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Rasmussen, Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—19.

Absent or not voting: Senators Dore, Lewis (Harry), Sandison, Talley—4.

SUBSTITUTE HOUSE BILL NO. 174, 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 Senator Mardesich, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE HOUSE BILL NO. 53, and the Senate amendments thereto, and the Speaker has appointed as members of the Conference Committee thereon: Representatives Van Dyk, King and Flanagan.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 53, making certain amendments to the open space lands taxation laws, have had the same under consideration, and we recommend that the bill do pass as amended by Committee Amendment by the Committee on Ways and Means with the following amendment to the committee amendment:

On page 4, line 22, strike "board of equalization" and insert "legislative authority", and we respectfully request the powers of Free Conference.

Signed by: Senators Odegaard, Matson and Donohue; Representatives Van Dyk and Flanagan.

## MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## SECOND READING

SENATE BILL NO. 2887, by Senators Donohue and Odegaard:  
Limiting the transfer to justice courts of income from state traffic violations.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2887 was re-referred to the Committee on Rules.

## SECOND READING

SENATE BILL NO. 2762, by Senator Mardesich:  
Providing a method for hiring certain supervisory employees in the department of social and health services.

## REPORT OF STANDING COMMITTEE

March 26, 1973.

SENATE BILL NO. 2762, providing a method for hiring certain supervisory employees in the department of social and health services (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, immediately following section 1, add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 41.06 RCW a new section to read as follows:

Notwithstanding any other provisions of this chapter, the secretary of social and health services may appoint persons to fill supervisory positions within his department subject only to a passing oral examination and certification by an oral review board appointed by the director of personnel as to the adequacy of the applicant's training, knowledge and experience. The director of personnel shall certify all passing applicants to the secretary of social and health services and the secretary at his discretion shall appoint from those applicants certified by the director of personnel: PROVIDED, That the number of supervisory personnel appointed by this method shall not at any time exceed five percent of the total positions authorized for the department of social and health services. Following their appointment under the provisions of this section, the persons so appointed shall be deemed classified employees and subject to all of the provisions of this chapter."



Beginning on line 1 of the title, after "and adding" strike "a new section" and insert "new sections".

Signed by: Senators Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Jones, Murray, Twigg, Woody.

The bill was read the second time by sections.

Senator Mardesich explained an amendment to be proposed later by Senator Mardesich, and the following ensued:

#### POINT OF INQUIRY

Senator Woodall: "Would someone yield to a question that knows what we are doing here now with this sudden floor amendment? How many people are suddenly taken out of civil service who thought they were under it by this amendment?"

Senator Lewis (Harry): "Senator Woodall, a maximum of one hundred and seventy-five."

Senator Woodall: "Let us get down to specifics. Was a man like Bobby Rhay, was he under civil service at this moment and is he taken out by this bill or not?"

Senator Lewis (Harry): "It is my understanding he is out from under civil service, Senator. He would probably come out under this amendment, I guess, Senator."

#### POINT OF ORDER

Senator Woodall: "Mr. President, I am going to raise the question of scope and object on this amendment. I think it goes beyond the scope and object of the original bill, and attempts to amend in a pending bill which exists in the body."

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "The original bill was one pertaining exactly to this subject. The question of taking certain supervisory personnel out from under the protection of the merit act. I guess that is all I should say with respect to this subject. I was going to respond to Senator Woodall, but the question of scope and object, I think, is very clear that the subject matter is exactly the same. We are dealing with exactly the same subject."

The President declared there is nothing before the body at this time.

#### MOTIONS

On motion of Senator Mardesich, the committee amendments were not adopted on a rising vote.

Senator Mardesich moved adoption of the following amendment:

On page 1, line 4, strike everything after the enacting clause and insert:

Section 1. Section 1, chapter 11, Laws of 1972 ex. sess. and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

(1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;

(2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior court, or to any employee of, or position in the judicial branch of state government;

(3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;

(4) The officers of the Washington state patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(a) All members of such boards, commissions, or committees;

(b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(10) Assistant attorneys general;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant;

(14) Officers and employees of the Washington state fruit commission;

(15) Officers and employees of the Washington state apple advertising commission;

(16) Officers and employees of the Washington state dairy products commission;

(17) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

(18) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

(19) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

(20) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business [.] ;

(21) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(22) *In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exceptions permitted under this*

subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full-time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (19) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights:

If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

#### POINT OF INQUIRY

Senator Bailey: "Will Senator Mardesich yield? Senator, you and Senator Lewis used the figure of a couple of hundred people that would be out from under civil service. Do you guarantee that they will maintain a status in civil service, that they will not be run out of their jobs by a change in the top command?"

Senator Mardesich: "That is very clear in the amendment, Senator, if you will just take a glance at it, that they do keep their former status under the merit system."

Senator Bailey: "Does this have the same guarantee the federal civil service program has for civil service people who decide to take an administrative job and then give it up and return to civil service status?"

Senator Mardesich: "I do not know what the federal guarantee is. This merely provides that they retain their former merit position."

Senator Bailey: "Their last . . ."

Senator Mardesich: "Their last merit position, right."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Mardesich, the following amendment to the title was adopted:

On line 1 of the title, after "law;" and before "and" insert "amending section 1, chapter 11, Laws of 1972 ex. sess. and RCW 41.06.070;"

#### MOTION

On motion of Senator Woodall, Senate Bill No. 2762, as amended by Senator Mardesich, was made a special order of business for 10:07 p.m. this evening.

#### SECOND READING

SENATE BILL NO. 2134, by Senators Peterson (Lowell), Twigg and Bailey (by Insurance Commissioner request):

Providing for no-fault automobile insurance.

#### MOTIONS

On motion of Senator Mardesich, Senate Bill No. 2134 was re-referred to the Committee on Rules.

On motion of Senator Mardesich, the Senate returned to the first order of business.

## REPORTS OF STANDING COMMITTEES

April 12, 1973.

ENGROSSED HOUSE BILL NO. 933, permitting Canadian doctors to practice medicine in certain specified Washington areas during an emergency situation (reported by Committee on Social and Health Services):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Clarke, Jones, Keefe, Murray, Twigg, Woody.

Passed to Committee on Rules for second reading.

April 14, 1973.

ENGROSSED HOUSE BILL NO. 1007, appropriating funds for grasshopper control (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Odegaard, Vice Chairman; Bailey, Canfield, Dore, Fleming, Grant, Marsh, Metcalf, Ridder, Sandison.

Passed to Committee on Rules for second reading.

April 14, 1973.

SUBSTITUTE HOUSE BILL NO. 1060, limiting aggregate property tax levies to one percent of true and fair value (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Dore, Grant, Mardesich, Marsh, Metcalf, Ridder, Sandison, Scott.

Passed to Committee on Rules for second reading.

## MOTION

At 9:40 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 10:15 p.m.

## MESSAGE FROM THE HOUSE

April 13, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2247, with the following amendments:

On page 2, section 3, line 27, beginning with "Commencing" strike all of the matter down to and including the period after "taxable" on page 3, in line 13 and insert the following:

"Commencing January 1, 1975—Twenty percent of inventory otherwise taxable.

Commencing January 1, 1976—Forty percent of inventory otherwise taxable.

Commencing January 1, 1977—Sixty percent of inventory otherwise taxable.

Commencing January 1, 1978—Eighty percent of inventory otherwise taxable.

Commencing January 1, 1979 and thereafter—One hundred percent of inventory otherwise taxable."

On page 26, section 82A-3, line 24 after "means" and before "a" insert "(i)".

On page 26, section 82A-3, line 25 before the period after "Code" insert "(ii) property defined in section 1231 of the Internal Revenue Code and (iii) other real property".

On page 40, section 82A-8, beginning with "Commencing" in line 3, strike everything down to and including the period after "income" in line 22 and insert the following:

"Commencing January 1, 1974—Eight percent of taxable income.

Commencing January 1, 1976—Eight and one-half percent of taxable income.

Commencing January 1, 1977—Nine percent of taxable income.

Commencing January 1, 1978—Nine and one-half percent of taxable income.

Commencing January 1, 1979—Ten percent of taxable income."

On page 40, section 82A-9, beginning with "Commencing" in line 29, strike everything down to and including the period after "income" in line 15, page 41, and insert the following:

"Commencing January 1, 1974—Eight percent of taxable income.

Commencing January 1, 1976—Eight and one-half percent of taxable income.

Commencing January 1, 1977—Nine percent of taxable income.

Commencing January 1, 1978—Nine and one-half percent of taxable income.

Commencing January 1, 1979—Ten percent of taxable income."

On page 41, section 82A-10, beginning with "(1)" in line 17 strike all of the matter down to and including the period after "year" in line 28 and insert the following:

"(1) A corporation which has filed a proper election under subchapter S of the Internal Revenue Code shall be subject to the tax imposed on corporations by this Title in the same manner as though no such election had been made to the extent that its shares of stock are owned by nonresidents of this state.

(2) A resident stockholder of a subchapter S corporation shall include in his computation of taxable income any income or losses of the subchapter S corporation attributable to him in the computation of his federal income tax for the same tax year.

(3) A nonresident stockholder of a subchapter S corporation shall exclude any income or losses of a subchapter S corporation from taxable income for purposes of this Title.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Durkan, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2247.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2247, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; nays, 17; absent or not voting, 6.

Voting yea: Senators Bailey, Bottiger, Canfield, Durkan, Fleming, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Van Hollebeke, Walgren, Woody—26.

Voting nay: Senators Atwood, Clarke, Day, Donohue, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Mattingly, Newschwander, Rasmussen, Sellar, Twigg, Wanamaker, Whetzel, Woodall—17.

Absent or not voting: Senators Connor, Dore, Francis, Matson, Talley, Washington—6.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2247, 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 HOUSE

April 14, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2289, with the following amendments:

Strike all of the title and insert the following:

"An Act relating to negotiations of school districts with their certificated personnel; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section

28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.040; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090; and declaring an emergency."

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

**NEW SECTION.** Sec. 2. It is the intent and purpose of sections 2 through 12 of this 1973 amendatory act to strengthen current methods of administering employer-employee relations in the common schools through the establishment of more precise definitions of employer and employee rights and responsibilities and through the provision of an effective means of resolving disputes through third party intervention.

**NEW SECTION.** Sec. 3. Unless the context clearly indicates otherwise, the words used in sections 2 through 12 of this 1973 amendatory act shall have the meaning given in this section:

(1) "Employer" means each common school district board of directors.

(2) "Department" means the department of professional negotiations of the office of superintendent of public instruction which is hereby created.

(3) "Employee organization" means any organization which includes as members certificated employees of a school district and which has as one of its purposes the representation of such employees in their employment relations with the school district.

(4) "Certificated employee" means any employee of a school district holding a valid teacher's certificate and who is employed by the school district with the exception of chief administrative officers.

(5) "Chief administrative officers" shall mean the superintendent of the district, deputy superintendents, administrative assistants to the superintendent, assistant superintendents, business managers, personnel directors, and individuals authorized to negotiate on behalf of an employer pursuant to section 8 of this 1973 amendatory act.

(6) "Exclusive bargaining representative" means an employee organization certified as the exclusive representative of all certificated employees within a school district by the department pursuant to sections 2 through 12 of this 1973 amendatory act.

(7) "Professional negotiations" means the mutual obligations of the employer and an exclusive bargaining representative to meet at reasonable times, to bargain in good faith, and to execute written agreements prior to final board adoption with respect to school district policies, including but not limited to, curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries and salary schedules and noninstructional duties: PROVIDED, That such obligation does not compel either party to agree to a proposal or to make a concession unless otherwise required to by law.

**NEW SECTION.** Sec. 4. Certificated employees shall have the right of self-organization and the right to form, join or assist any employee organization for the purpose of engaging in professional negotiations through the exclusive bargaining representative of their own choosing, and to engage in lawful concerted activities for the purpose of collective bargaining and other mutual aid or protection, free from interference, restraint or coercion.

**NEW SECTION.** Sec. 5. Nothing in sections 2 through 12 of this 1973 amendatory act shall prohibit any certificated employee from appearing on his own behalf on matters relating to his employment relations with the school district.

**NEW SECTION.** Sec. 6. The department shall conduct an election to ascertain an exclusive bargaining representative as follows:

(1) Upon the request of a prospective bargaining representative showing written proof of at least thirty percent representation of the certificated employees within a school district, the department shall hold an election by secret ballot to determine the issue. The ballot shall contain the name of such bargaining representative and of any other bargaining representative showing written proof of at least ten percent representation of the

certificated employees within the school district, together with a choice for any certificated employee to designate that he does not desire to be represented by any bargaining agent. Where more than one organization is on the ballot and none of the three or more choices receives a majority vote of the certificated employees voting in the election, a run-off election shall be held. The run-off ballot shall contain the two choices which received the largest and second-largest number of votes.

(2) No election, other than a run-off election, shall be ordered to be conducted by the department in any school district within which a valid election has been held in the preceding twelve months: PROVIDED, That where a valid professional negotiations agreement is in force and effect, a petition for an election may only be filed not less than sixty nor more than ninety days prior to the expiration of the agreement or, in the event such an agreement provides for automatic renewal or extension, not less than sixty nor more than ninety days prior to the date of such automatic renewal or extension.

(3) The department shall certify to the affected employer and employee organization(s) the results of any election held pursuant to this section and shall immediately certify the employee organization which receives the votes of a majority of the certificated employees voting in the election as the exclusive bargaining representative of such employees.

*NEW SECTION.* Sec. 7. Any employee organization which has been certified by the department as an exclusive bargaining representative shall be required to bargain for all the certificated employees within the school district without regard to membership or nonmembership in said employee organization and shall not discriminate with regard to race, color, creed, national origin, age or sex.

*NEW SECTION.* Sec. 8. The employer shall have the power to delegate to his designee(s) any of the powers or duties vested in or imposed upon the employer by sections 2 through 9 of this 1973 amendatory act and such delegated powers or duties may be exercised in the name of the employer: PROVIDED, That the employer shall retain the final power to approve or reject proposed written agreements between the employer or his designee(s) and an exclusive bargaining representative: PROVIDED FURTHER, That if no agreement is reached with the employer's designee(s) or if the employer rejects an agreement reached by such designee(s), then the exclusive bargaining representative shall have the right to negotiate directly with the employer: AND PROVIDED FURTHER, That the number of such designees shall not exceed the number of individuals designated by an exclusive bargaining representative to negotiate on its behalf.

*NEW SECTION.* Sec. 9. An employer shall have the authority to engage in professional negotiations with an exclusive bargaining representative and no employer shall refuse to engage in professional negotiations with an exclusive bargaining representative. Upon the failure of the employer and an exclusive bargaining representative to conclude a professional negotiations agreement, any matter in dispute may be submitted by either party to the department twenty-four hours after serving written notice of their intended action upon the other party. Following the submission of any matter in dispute, the department shall provide the services of individuals who are knowledgeable with respect to both the common schools and the art of resolving employer-employee disputes, and shall have authority to provide fact finding and/or conciliation and/or mediation functions.

*NEW SECTION.* Sec. 10. Subject to the provisions of chapter 34.04 RCW, the administrative procedure act, the department shall promulgate, revise, or rescind such rules and regulations as it may deem necessary or appropriate to the administration and implementation of the provisions of sections 2 through 12 of this 1973 amendatory act in conformity with its intent and purpose and consistent with the best standards of employer-employee relations. Pursuant to the procedures outlined in sections 2 through 12 of this 1973 amendatory act, boards of directors of school districts shall negotiate with the exclusive bargaining representative rules and regulations for the administration of employer-employee relations thereunder: PROVIDED, That such regulations shall not be inconsistent with the provisions of sections 2 through 12 of this 1973 amendatory act or with the rules and regulations developed by the department pursuant to this section.

*NEW SECTION.* Sec. 11. A valid professional negotiations agreement shall provide, in addition to any other lawful provisions, for a maximum term of existence not to exceed

three years: PROVIDED, That any agreement which exceeds the maximum term shall expire by operation of law three years after it becomes effective.

**NEW SECTION.** Sec. 12. Nothing in sections 2 through 12 of this 1973 amendatory act shall be construed to annul or modify, or to preclude the continuation of any lawful agreement heretofore entered into between any employer and any representative of its certificated employees. Any employee organization which is currently recognized by law as the representative of certificated employees within a school district for purposes of professional negotiations may continue to act hereafter as the exclusive bargaining representative of the certificated employees of such district except as limited or precluded by the provisions of sections 2 through 12 of this 1973 amendatory act. No court order or judgment based upon the provisions of chapter 28A.72 RCW, in section 16 of this 1973 amendatory act repealed, which were in effect as of the effective date of this 1973 amendatory act, shall be considered to be annulled or modified except as the same are inconsistent with the provisions of sections 2 through 12 of this 1973 amendatory act.

Sec. 13. Section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020 are each amended to read as follows:

This chapter shall apply to any county or municipal corporation, or any political subdivision of the state of Washington except as otherwise provided by RCW 47.64.030, 47.64.040, 54.04.170, 54.04.180, [28.72.010 through 28.72.090] *sections 2 through 13 of this 1973 amendatory act*, and chapter 53.18 RCW.

Sec. 14. Section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065 are each amended to read as follows:

Every board of directors, in accordance with procedure provided in [RCW 28A.72.030] *sections 2 through 12 of this 1973 amendatory act*, shall establish an evaluative criteria and procedures for all certificated employees. Such procedure shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

**NEW SECTION.** Sec. 15. Sections 2 through 12 of this 1973 act shall be added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW.

**NEW SECTION.** Sec. 16. The following acts or parts of acts are each hereby repealed:

- (1) Section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010;
  - (2) Section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020;
  - (3) Section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030;
  - (4) Section 28A.72.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.040;
  - (5) Section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050;
  - (6) Section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060;
  - (7) Section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070;
  - (8) Section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080;
- and
- (9) Section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090.

**NEW SECTION.** Sec. 17. If any provision of this 1973 amendatory act or its application to any person or circumstance is held invalid, the remainder of the act, or application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 18. 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.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

Senator Durkan moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2289.



## POINT OF INQUIRY

Senator Jolly: "Would Senator Durkan yield? Senator Durkan, does this apply only to school negotiations?"

Senator Durkan: "Common schools."

Senator Jolly: "What is the meaning of section 13 then? It says this chapter shall apply to any county or municipal corporation."

## POINT OF ORDER

Senator Atwood: "The amendment put on by the House changes the scope and object of this particular measure. I raise that point at this time."

Debate ensued.

## MOTION

On motion of Senator Atwood, Engrossed Senate Bill No. 2289, the House amendments thereto and the point of order by Senator Atwood, were made a special order of business for 11:00 p.m. this evening.

## MOTION

On motion of Senator Mardesich, Substitute Senate Bill No. 2454, by the Committee on Labor and originally sponsored by Senators Bottiger and Grant, amending the law regarding employment agencies; Substitute Senate Bill No. 2542, by Senators Herr, Wanamaker and Peterson (Lowell), relating to regulating employment agencies, were referred to the Committee on Rules.

On April 7, 1973, Substitute Senate Bill No. 2454 and Substitute Senate Bill No. 2542, on motion of Senator Mardesich, had been referred to a select committee.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2306, and has granted said committee the powers of Free Conference and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 2306, authorizing legislative authority of a county to employ an attorney for legal services, have had the same under consideration, and we recommend the House Committee Amendment by the Committee on Local Government to page 1, section 1, line 8, be adopted; that the House amendment by Representative Julin to page 1, line 19, be stricken; and that the following amendment by the Conference Committee be adopted:

On page 1, section 1, line 19, after "writing" insert "and shall provide that the amount of compensation of such contracting attorneys shall not, in any one calendar year, exceed twenty thousand dollars" and respectfully request the powers of Free Conference.

Signed by: Senators Fleming, Murray and Talley; Representatives Hausler and Kalich.

## MOTION

On motion of Senator Mardesich, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2491, with the following amendments:

On page 3, section 6, line 30, of the engrossed and printed bills, after "(1)" strike the remainder of the subsection down through line 13, page 4, and insert the following:

"A base commitment rate for each county and for the state as a whole shall be calculated by the department. The base commitment rate shall be determined by computing the ratio of the number of persons convicted of felonies and committed to state correctional institutions for convicted felons to the number of persons convicted of felonies, such ratio to be expressed as a rate per hundred persons convicted of felonies for each of the calendar years 1966 through 1970: PROVIDED, That deferred prosecution, deferred and suspended sentences pursuant to Chapters 9.95 RCW and 9.92 RCW, as well as other convictions of felonies shall, for purpose of these computations only, be counted as "convictions of felonies". 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, FURTHER, 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 in this subsection."

On page 4, section 6, line 22, of the engrossed and printed bills, after "rate and" strike "population of" and insert "the number of persons convicted of felonies in".

On page 4, section 6, line 23, of the engrossed and printed bills, after "rate and" strike "population of" and insert "the number of persons convicted of felonies in", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Day, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2491.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2491, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 4.

Voting yea: Senators Atwood, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody-42.

Voting nay: Senators Durkan, Greive, Mattingly-3.

Absent or not voting: Senators Bailey, Connor, Dore, Francis-4.

ENGROSSED SENATE BILL NO. 2491, 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 HOUSE

April 14, 1973.

Mr. President: The House has passed SENATE BILL NO. 2790, with the following amendments:

On page 1, section 1, line 14, after "exceed" strike all of the matter down to and including the period following "[biennium]" on page 2, line 1, and substitute the following:

"nine cents an acre per year on lands west of the summit of the Cascade mountains and seven cents an acre per year on lands east of the summit of the Cascade mountains: PROVIDED, That for the calendar years [1971] 1973 and [1972] 1974 the cost to the owner for such protection shall be eighteen cents an acre per year on lands west of the summit of the Cascade mountains and fourteen cents an acre per year on lands east of the summit of the Cascade mountains [after which time said additional assessment shall revert to the 1970 level]. During said calendar years the legislative [budget] committees on natural resources shall study the costs of forest fire protection to determine the ratio of financial support to be borne by the state to that of the forest land owner.

The findings of the legislative [budget] committees on natural resources shall be considered when establishing the forest patrol assessment for the ensuing biennium."

On page 3, beginning on line 26, strike all of section 2 and renumber section 3 to read "Sec. 2.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Ridder, the Senate concurred in the House amendments to Senate Bill No. 2790.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2790, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Durkan, Greive—2.

Absent or not voting: Senators Connor, Dore, Francis, Murray—4.

SENATE BILL NO. 2790, 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 HOUSE

April 14, 1973.

Mr. President: The House has passed SENATE BILL NO. 2672, with the following amendment:

On page 1, section 1, line 20, after "conflict" insert ": PROVIDED, That all state agencies and each school district shall comply with the provisions of Public Law 92-512, the federal Revenue Sharing Act, and the regulations issued thereunder", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Atwood, the Senate concurred in the House amendment to Senate Bill No. 2672.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2672, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senator Durkan—1.

Absent or not voting: Senators Bottiger, Connor, Dore, Francis, Greive, Sellar—6.

SENATE BILL NO. 2672, 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 HOUSE

April 14, 1973.

Mr. President: The House has passed SENATE BILL NO. 2522, with the following amendments:

In line 2 of the title, after "47.17.065;" and before "amending" insert "amending section 17, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.080;"

In line 7 of the title, after "47.17.610;" and before "amending" insert "amending section 148, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.735; amending section 155, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.770;"

In line 14 of the title, after "repealing" and before "section" insert "section 26, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.125; repealing section 45, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.220; repealing section 108, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.535; repealing".

On page 5 of the bill, strike all of section 10 and insert the following:

"Sec. 10. Section 2, chapter 85, Laws of 1967 ex. sess. as last amended by section 29, chapter 73, Laws of 1971 ex. sess. and RCW 47.39.020 are each amended to read as follows:

The following portions of highways are designated as part of the scenic and recreational highway system:

(1) State route number 2, beginning at the crossing of Woods creek at the east city limits of Monroe, thence in an easterly direction by way of Stevens pass to a junction with state route number 97 in the vicinity of Peshastin;

(2) State route number 3, beginning at a junction with state route number 106 in the vicinity of Belfair, thence in a northeasterly direction to a junction with Arsenal Way south of Bremerton; also

Beginning at a junction of Carr Boulevard north of Bremerton thence northeasterly to a junction with state route number 104 in the vicinity of Port Gamble;

(3) State route number 8, beginning at a junction with state route number 12 in the vicinity of Elma, thence easterly to a junction with state route number 101 near Tumwater;

(4) State route number 10, beginning at Teanaway junction, thence easterly to a junction with state route number 131 west of Ellensburg;

(5) State route number 12, beginning at a junction with a county road approximately 2.8 miles west of the crossing of the Wynooche river which is approximately 1.2 miles west of Montesano, thence in an easterly direction to a junction with state route number 8 in the vicinity of Elma; also

Beginning at the Burlington Northern Railroad bridge approximately 3.4 miles west of Dixie, thence in a northerly and easterly direction by way of Dayton, Dodge, and Pomeroy to a junction with a county road approximately 2.4 miles west of a junction with state route number 129 at Clarkston;

(6) State route number 14, beginning at the crossing of Gibbons creek approximately 0.9 miles east of Washougal, thence in an easterly direction by way of Stevenson to a westerly junction with state route number 97 in the vicinity of Maryhill; also

Beginning at the easterly junction with state route number 97 in the vicinity of Maryhill, thence easterly along the north bank of the Columbia river to a point in the vicinity of Plymouth;

(7) State route number 17, beginning at a junction with state route number 395 in the vicinity of Eltopia, thence in a northwesterly direction to the south end of the overcrossing of state route number 90, in the vicinity of Moses Lake; also

Beginning at a junction with Grape Drive in the vicinity of Moses Lake, thence northwesterly and northerly by way of Soap Lake to a junction with state route number 2 west of Coulee City;

(8) State route number 20, beginning at the *Keystone ferry slip on Whidbey Island, thence easterly and northerly to a junction with Rhododendron road in the vicinity east of Coupeville; also*

*Beginning at a junction with Sherman road in the vicinity west of Coupeville, generally northerly to a junction with Miller road in the vicinity southwest of Oak Harbor; also*

*Beginning at a junction with Torpedo road in the vicinity northeast of Oak Harbor, thence northerly by way of Deception Pass to a junction with state route number 20 north in the vicinity southeast of Anacortes; also*

*Beginning at the crossing of Hanson creek approximately 6.0 miles west of Lyman, thence easterly by way of Concrete, Marblemount, Diablo Dam, and Twisp to a junction with state route number 153 southeast of Twisp; also*

*Beginning at a junction with state route number 21 approximately three miles east of Republic, thence in an easterly direction to a junction with state route number 395 at the west end of the crossing over the Columbia river at Kettle Falls; also*

*Beginning at a junction with a county road 2.76 miles east of the junction with state route number 395 in Colville, thence in a northeasterly direction to a junction with state route number 31 at Tiger; thence in a southerly direction to a junction with state route number 2 at Newport;*

(9) State route number 21, beginning at the Keller ferry slip on the north side of Roosevelt lake, thence in a northerly direction to the crossing of Granite creek approximately fifty-four miles north of the Keller ferry;

(10) [State route number 30, beginning at a junction with state route number 21 to Curlew, east of Republic, thence in an easterly direction to a junction with state route number 395 at the west end of the crossing over the Columbia river at Kettle Falls;

(11) State route number 31, beginning at Newport, thence in a northerly direction to a junction with state route number 294 in the vicinity of Tiger;

(12) State route number 90, beginning at the CMSTPP railroad overcrossing approximately 2.3 miles southeast of North Bend, thence in an easterly direction by way of Snoqualmie pass to the crossing of the Cle Elum river approximately 2.6 miles west of Cle Elum;

[(13)] (11) State route number 97, beginning at the crossing of the Columbia river at Biggs Rapids, thence in a northerly direction to the westerly junction with state route number 14 in the vicinity of Maryhill; [also

Beginning at the crossing of Selah-Moxee canal approximately 5.4 miles north of Yakima thence in a northerly direction to the upper Wilson creek crossing approximately 33.4 miles north of Yakima;

(14) (12) State route number 101, beginning at a junction with state route number 109 in the vicinity of Queets, thence in a northerly, northeasterly, and easterly direction by way of Forks to the west boundary of the Olympic national park in the vicinity of Lake Crescent; also

Beginning at Sequim Bay state park, thence in a southeasterly and southerly direction

to a junction with the Airport road north of Shelton; also

Beginning at a junction with a county road 2.64 miles south of the junction with state route number 3 in Shelton, thence in a southerly and southeasterly direction to the west end of the Black Lake road overcrossing in the vicinity northeast of Tumwater;

[(15)] (13) State route number 104, beginning at a junction with state route number 101 in the vicinity south of Discovery bay, thence in a southeasterly direction to the vicinity of Shine on Hood Canal; also

Beginning at a junction with state route number 3 east of the Hood Canal crossing, thence northeasterly to Port Gamble;

[(16)] (14) State route number 105, beginning at a junction with state route number 101 at Raymond, thence westerly and northerly by way of Tokeland and North Cove to the shore of Grays Harbor north of Westport; also

Beginning at a junction with state route number 105 in the vicinity south of Westport, thence northeasterly to a junction with state route number 101 at Aberdeen;

[(17)] (15) State route number 106, beginning at a junction with state route number 101 in the vicinity of Union, thence northeasterly to a junction with state route number 3 in the vicinity of Belfair;

[(18)] (16) State route number 109, beginning at a junction with a county road approximately 3.0 miles northwest of the junction with state route number 101 in Hoquiam thence, in a northwesterly direction by way of Ocean City, Copalis, Pacific Beach, and Moclips to a junction with state route number 101 in the vicinity of Queets;

[(19)] (17) State route number 112, beginning at the easterly boundary of the Makah Indian reservation, thence in an easterly direction to the vicinity of Laird's corner on state route number 101;

[(20) State route number 113, beginning at the Keystone ferry slip on Whidbey island, thence easterly to a junction with state route number 525;

(21)] (18) State route number 126, beginning at a junction with state route number 12 in the vicinity of Dayton, thence in a northeasterly direction to a junction with state route number 12 in the vicinity west of Pomeroy;

[(22)] (19) State route number 153, beginning at a junction with state route number 97 in the vicinity of Pateros, thence in a northerly direction to a junction with state route number 20 in the vicinity south of Twisp;

[(23)] (20) State route number 155, beginning at a junction with state route number 2 in the vicinity north of Coulee City, thence in a northeasterly direction to the boundary of the federal reservation at the Grand Coulee dam; also

Beginning at a junction with a county road 2.07 miles north of the junction with 12th street in Elmer City, thence in a northwesterly direction to the west end of the crossing of Omak creek east of Omak;

[(24)] (21) State route number 206, Mt. Spokane Park Drive, beginning at a junction with state route number 2 near the north line of section 3, township 26N, range 43 E, thence northeasterly to a point in section 28, township 28 N, range 45 E at the entrance to Mt. Spokane state park;

[(25) State route number 294, beginning at a junction with a county road 2.76 miles east of the junction with state route number 395 in Colville, thence in a northeasterly direction to a junction with state route number 31 at Tiger;

(26)] (22) State route number 395, beginning at a point approximately 2.6 miles north of Pasco thence in a northerly direction to a junction with state route number 17 in the vicinity of Eltopia; also

Beginning at the north end of the crossing of Mill creek in the vicinity of Colville, thence in a northwesterly direction to a junction with state route number 30 at the west end of the crossing over the Columbia river at Kettle Falls;

[(27)] (23) State route number 401, beginning at a junction with state route number 101 at Point Ellice, thence easterly and northerly to a junction with state route number [5] 4 in the vicinity north of Naselle;

[(28)] (24) State route number 504, beginning at a junction with state route number 5 in the vicinity north of Castle Rock, thence in an easterly direction by way of St. Helens and Spirit lake to Mt. St. Helens;

[(29)] (25) State route number 525, beginning at a junction with Maxwellton road in the southern portion of Whidbey Island, thence northwesterly to a junction with [Rhododendron road in the vicinity east of Coupeville; also

Beginning at a junction with Sherman road in the vicinity west of Coupeville, generally northerly to a junction with Miller road in the vicinity southwest of Oak Harbor; also

Beginning at a junction with Torpedo road in the vicinity northeast of Oak Harbor, thence northerly by way of Deception pass to a junction with state route number 536 in the vicinity southeast of Anacortes] *state route number 20 east of the Keystone ferry slip;*

[(30)] (26) State route number 542, beginning at the Nugent crossing over the Nooksack river approximately 7.7 miles northeast of Bellingham, thence easterly to the vicinity of Austin pass in Whatcom county;

(27) *State route number 821, beginning at a junction with state route number 82 at the Yakima firing center interchange, thence in a northerly direction to a junction with state route number 82 at the Thrall road interchange."*

On page 11 of the bill, beginning on line 24, strike all of section 13 and insert the following:

"Sec. 13. Section 17, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.080 are each amended to read as follows:

A state highway to be known as state route number 20 is established as follows:

Beginning at a junction with state route number [536 east of Whitney, thence northeasterly and easterly by way of Burlington, Sedro Woolley, Concrete and Marblemount to Diablo dam, thence easterly by the most feasible route by way of Twisp to a junction with state route number 153 in the vicinity south of Twisp; also

From that junction with state route number 153 in the vicinity south of Twisp, thence easterly by the most feasible route to a junction with state route number 97 in the vicinity south of Okanogan; also

Beginning at a wye connection with state route number 20 southwest of Okanogan, thence southwesterly to a junction with state route number 97 in the vicinity of Malott: PROVIDED, That until such times as state route number 20 from southwest of Okanogan to the vicinity of Malott is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said state route number 20; also

Beginning at a junction with state route number 20 in the vicinity of Okanogan, thence northeasterly on the west side of the Okanogan river to a junction with state route number 97 north of Omak.] *101 in the vicinity of Discovery Bay, thence northeasterly via the most feasible route to Port Townsend; also*

*From the Keystone ferry dock on Whidbey Island, thence northeasterly by the most feasible route by way of Deception Pass, Burlington, Sedro Woolley, Concrete, Newhalem, Winthrop, Twisp, Okanogan, Tonasket, Republic, Kettle Falls, Colville, and Tiger; thence southerly and southeasterly to a junction with state route number 2 at Newport.*

Sec. 14. Section 27, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.130 are each amended to read as follows:

A state highway to be known as state route number 31 is established as follows:

Beginning at a junction with state route number [2 at Newport] *20 at Tiger*, thence northerly by way of Metaline Falls to the international boundary.

Sec. 15. Section 148, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.735 are each amended to read as follows:

A state highway to be known as state route number 525 is established as follows:

Beginning at a junction with state route number 5 in the vicinity south of Everett, thence northwesterly to Mukilteo; also

Beginning at the vicinity of Columbia Beach in the southern portion of Whidbey Island, thence [northerly by way of Deception Pass to a junction with state route number 536 in the vicinity southeast of Anacortes] *northwesterly to a junction with state route number 20 in the vicinity east of Keystone.*

Sec. 16. Section 155, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.770 are each amended to read as follows:

A state highway to be known as state route number 536 is established as follows:

Beginning at [Anacortes] a junction with state route number 20 at Fredonia, thence easterly to a junction with state route number 5 at Mt. Vernon.

*NEW SECTION.* Sec. 17. There is added to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 20 north is established as follows:

Beginning at Anacortes, thence easterly via the most feasible route to a junction with state route number 20 southeast of Anacortes.

*NEW SECTION.* Sec. 18. There is added to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 213 is established as follows:

Beginning at a junction with state route number 97 in the vicinity of Malott, thence northeasterly to a junction with state route number 20 southwest of Okanogan: PROVIDED, That until such time as this route is actually constructed on the location adopted by the highway commission, no county roads shall be maintained or improved by the highway commission as a temporary route.

*NEW SECTION.* Sec. 19. There is added to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 215 is established as follows:

Beginning at a junction with state route number 20 in the vicinity of Okanogan, thence northeasterly on the west side of the Okanogan river to a junction with state route number 97 north of Omak.

*NEW SECTION.* Sec. 20. There is added to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 905 is established as follows:

Beginning at a junction with state route number 90 in the vicinity of Eastgate, thence northerly via 148th Avenue southeast and 148th Avenue northeast to a junction with state route number 520.

*NEW SECTION.* Sec. 21. The highway commission is hereby authorized and directed to proceed with the relocation of state route number 509 to provide improved access from state route number 5 to downtown Tacoma and the industrial port area of Tacoma subject to and in accordance with the priority programming system set forth in chapter 47.05 RCW and the funds available and along the following route:

Beginning at the interchange on state route number 5 at Pacific avenue in Tacoma, thence northerly to the vicinity of 15th street in Tacoma, thence easterly crossing Taylor Way south of the Hylebos Waterway extension, thence northerly to south 348th street, thence easterly to the interchange on state route number 5 with state route number 18.

*NEW SECTION.* Sec. 22. The following acts or parts of acts are each hereby repealed:

- (1) Section 26, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.125;
- (2) Section 45, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.220;
- (3) Section 108, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.535;
- (4) Section 47.56.370, chapter 13, Laws of 1961 and RCW 47.56.370;
- (5) Section 10, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.371; and
- (6) Section 11, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.372.", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Durkan, the Senate refused to concur in the House amendments to Senate Bill No. 2522, and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 2522 and the House amendments thereto: Senators Durkan, Walgren and Whetzel.



## MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

## SPECIAL ORDER OF BUSINESS

SENATE BILL NO. 2762, by Senator Mardesich:

Providing a method for hiring certain supervisory employees in the department of social and health services.

The time having arrived, the Senate resumed consideration of Engrossed Senate Bill No. 2262, on second reading, an amendment by Senator Mardesich having been adopted earlier today and also an amendment to the title adopted.

On motion of Senator Mardesich, Engrossed Senate Bill No. 2762 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2762, and the bill passed the Senate by the following vote: Yeas, 31; nays, 16; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Clarke, Connor, Day, Donohue, Fleming, Francis, Gardner, Grant, Herr, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Walgren, Wanamaker, Washington, Whetzel, Woody—31.

Voting nay: Senators Bottiger, Canfield, Durkan, Greive, Guess, Henry, Jolly, Knoblauch, Mattingly, Rasmussen, Ridder, Stortini, Talley, Twigg, Van Hollebeke, Woodall—16.

Absent or not voting: Senators Dore, Matson—2.

ENGROSSED SENATE BILL NO. 2762, having received the 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 Senator Mardesich, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2936, by Senators Walgren and Fleming:

An Act relating to motor vehicles; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 55, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.095; and declaring an emergency.

Referred to the Committee on Transportation and Utilities.

HOUSE BILL NO. 197, by Representatives Perry, Pardini and Williams (by State Finance Committee request):

Providing for the sale of state general obligation bonds to finance certain highway construction.

## MOTIONS

On motion of Senator Washington, House Bill No. 197 was advanced to second reading and read the second time in full.

On motion of Senator Washington, House Bill No. 197 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 197, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Voting nay: Senator Francis—1.

Absent or not voting: Senators Day, Dore, Lewis (Harry)—3.

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.

ENGROSSED HOUSE BILL NO. 1044, by Representatives Bluechel, Bagnariol and Berentson:

Defining "original producer" of nursery stock for taxation purposes.

Referred to the Committee on Ways and Means.

HOUSE BILL NO. 1074, by Representatives Beck and Laughlin:

Providing travel expense reimbursement for legislative members of the American revolution bicentennial commission.

Referred to the Committee on State Government.

HOUSE BILL NO. 1108, by Representatives Martinis, Luders, Adams, Kalich, Hansen, Kilbury, Fortson, Parker, Jastad and Clemente:

Enhancing the propagation of wildlife.

## MOTIONS

On motion of Senator Peterson (Lowell), House Bill No. 1108 was advanced to second reading and read the second time in full.

On motion of Senator Peterson (Lowell), House Bill No. 1108 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1108, and the bill passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 5.

Voting yea: Senators Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Grant, Greive, Henry, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Mattingly, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—35.

Voting nay: Senators Atwood, Guess, Jones, Lewis (Bob), Matson, Murray, Newschwander, Scott, Whetzel—9.

Absent or not voting: Senators Bottiger, Connor, Dore, Gardner, Herr—5.

HOUSE BILL NO. 1108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 903, and asks the Senate to recede therefrom, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

Senator Grant moved that the Senate recede from the Senate amendments to Substitute House Bill No. 903.

Debate ensued.

The motion by Senator Grant carried on a rising vote and the Senate receded from its amendments to Substitute House Bill No. 903.

## ROLL CALL

The Secretary called the roll and Substitute House Bill No. 903 passed the Senate, without the Senate amendments, by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Francis, Gardner, Grant, Greive, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Absent or not voting: Senator Bottiger, Connor, Dore, Henry—4.

SUBSTITUTE HOUSE BILL NO. 903, without the Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 340, and asks the Senate to recede therefrom and said bill together with the amendments thereto are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Day, the Senate refuses to recede from the Senate amendments to Substitute House Bill No. 340, and once again asks the House to concur.

## SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of the House message on Engrossed Senate Bill No. 2289, the House amendments thereto, and the point of order by Senator Atwood on the scope and object of the House amendments.

## RULING BY THE PRESIDENT

The President: "The President, in ruling on the point as raised by Senator Atwood, finds that Senate Bill No. 2289 is a measure which permits principals and assistant principals to form collective bargaining groups independent from other groups. The amendment placed

on this bill by the House of Representatives is in essence Senate Bill No. 2322, which creates a completely new common school certificated employees' negotiations act. The amendment grants all employees of a school district holding a teacher's certificate except administrative offices new collective bargaining rights. The amendment therefore does increase the scope and object of the bill and pursuant to Rule 62, Senate Bill No. 2289, as amended by the House, is referred to the Committee on Education."

Engrossed Senate Bill No. 2289, together with the House amendments, was referred to the Senate Committee on Education.

There being no objection, the Senate returned to the first order of business.

#### REPORT OF STANDING COMMITTEE

April 14, 1973.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 419, implementing law relating to the state teachers' retirement system (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page four, section three, subsection three, line 17, after "(3)", strike all the material down to and including "service." on line 24.

On page 9 strike all of section 10 and insert the following:

"NEW SECTION. Sec. 10. There is added to chapter 41.32 RCW a new section to read as follows:

Notwithstanding any other provision of this chapter, moneys necessary to pay the combined pension and annuity service retirement allowance provided for in section 3(2) of this 1973 amendatory act shall be payable for the 1973-1975 biennium from interest earnings on the pension reserve fund as provided for in RCW 41.32.030."

On page 11, line 13, strike all of new section 14.

Signed by: Senators Durkan; Chairman; Donohue, Vice Chairman; Odegaard, Vice Chairman; Bailey, Gardner, Grant, Marsh, Metcalf, Peterson (Ted), Ridder.

#### MOTIONS

On motion of Senator Durkan, Engrossed Substitute House Bill No. 419 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, the committee amendments were adopted.

On motion of Senator Durkan, Engrossed Substitute House Bill No. 419 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Murray: "Will Senator Ridder yield to a question? Senator Ridder, I am a little confused by the speech that you made when we were discussing the budget and the speech that you just made. Would you try to repeat the speech which I think you said that you had entered for the record regarding the budget? I am particularly interested in the fact that as I recall, you said we were already about one hundred and seventy-one million dollars short of properly funding our pensions now and now we are going to increase benefits even more. Would not that leave us even further in the hole?"

Senator Ridder: "As you remember, we are going to have a merger or a separate but equal system. Now this was to come due in September if it was not going to be done now. We know that we are going to increase the unfunded liability when such a merger comes about. We cannot possibly avoid this. This promise was given on this floor, by the way, by the Chairman of the Ways and Means. Now I just cannot see how we can avoid that. That has no bearing whatsoever upon the fact that we have failed to do the job that we are supposed to do to fund these systems. That is one thing. Now I am sure that we could look at the President of the United States today and say, 'Shame on you because you are creating a deficit and deficit spending.' And yet the United States for years has created deficit spending. We hope that someday we can get to a little fiscal soundness when we begin to

pay that back and eradicate it. It is exactly the same way with unfunded liability. My fears on unfunded liability, it is going to get so big that we will not be able to capitalize it and fund it over the forty-year period, but we are still within that capability but we are getting very close to the point where it is dangerous. This was the issue that I brought forth and the call that I sounded here of fear."

#### POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Ridder yield to a question? Senator Ridder, there is a study as I understand called the Touche-Ross-Stennes Study."

Senator Ridder: "There is."

Senator Lewis (Harry): "Is it a study of this bill that we are working on right now?"

Senator Ridder: "It is not a study of the bill we are working on right now."

Senator Lewis (Harry): "The benefit structure?"

Senator Ridder: "Right."

Senator Lewis (Harry): "Is that the benefit structure that is in the bill that we are considering now?"

Senator Ridder: "Yes."

Senator Lewis (Harry): "No, this is an increased benefit structure that we have before us now. Is not that correct?"

Senator Ridder: "This is not an increased benefit structure. It merely brings up to parity two sections that we are dealing with, military and the two percent."

Senator Lewis (Harry): "When is the study due to be received by the legislature that we have ordered at a cost of sixty thousand dollars? Can you tell me when that study is due?"

Senator Ridder: "There have been various estimates. We have received the preliminary study on the various benefit differentials. We have not yet begun to draw the regular draft legislation although Senator Atwood has begun in his way."

Senator Lewis (Harry): "When is the study due?"

Senator Ridder: "I would say not for at least a month yet."

#### POINT OF INQUIRY

Senator Lewis (Bob): "Mr. President and gentlemen, I like the teachers' votes as well as anybody else does. I have been answering my letters based on conversations with some of those involved in this, including you, Senator Ridder, and you and I both, have to answer some letters, write some more letters and contradict what we earlier said. I believe that I have heard you say in the past that one of the problems of the pension systems of this state is that when we equalize we never lower anyone's benefits, we raise the others up to that level. Is that correct? In trying to get equality we are concerned with past actions which have been described. Now are there any benefits in what you are about to ram through tonight that will exceed the PERS system so that we again will be in a position of leapfrogging and again having to catch up when this equalization comes about?"

Senator Ridder: "I think that is an excellent question. The problem that we have here is probably an area of twenty different benefits in the total structure. As you know, whenever you grant a pension change or benefit change, all of the people on that system may take all of what is offered and you cannot take it away at a later date. Right now the only two areas in which teachers are better than PERS would be the survivors' benefits and the disability area. Now otherwise PERS is better in all instances. If we raise in this case to equity two portions, military and the two percent, and by the way this enables us now to go back and fund the post-retirement increases for the older teachers who are really sadly in need when you think of the one hundred and fifty and one hundred and sixty dollar a month older teachers, we can do it with this. That is not a benefit change, however, because that is equal to PERS. So we change only this little area. Now there are plenty of other areas that are still far behind in the Teachers' System, far behind PERS benefits, and when the time for merger comes there is adequate leeway in which to move the survivor benefits into relationship. But Senator Guess does point something up and that is the cost. We are fearful

at this time that we will not be able to fully implement parity as the Touche-Ross-Stennes has led us to believe. We hope that we can, but I think that we owe at this point to solve a problem the passage of this bill and I do not think it is strange and awkward as you think."

Senator Lewis (Bob): "Mr. President, if I just ask my question specifically then, maybe I did not make it clear. Senator Ridder, I believe in equity for the Teachers' System. I believe that we should have one pension system that is equal for all of them and we are going to have a good one for all of them. Now, my question is this. At dinner tonight when you and I were discussing this, did I understand correctly that you said there would be a couple of areas in which this would leapfrog and we would later have to catch up because this would give some additional benefits above and beyond PERS and we are leapfrogging? Did I understand you correctly at dinner tonight?"

Senator Ridder: "I said that we would in two instances. However, because this bill has only these couple of changes we are not in truth leapfrogging because we can bring these down to bring them up with the others so you just do not have that."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 419, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 14; absent or not voting, 6.

Voting yea: Senators Bailey, Connor, Day, Durkan, Francis, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Bob), Marsh, Mattingly, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Washington, Whetzel, Woody—29.

Voting nay: Senators Atwood, Bottiger, Canfield, Clarke, Guess, Jones, Lewis (Harry), Mardesich, Matson, Murray, Newschwander, Sandison, Twigg, Wanamaker—14.

Absent or not voting: Senators Donohue, Dore, Fleming, Gardner, Scott, Woodall—6.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 419, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF FAILURE TO VOTE

April 14, 1973.

Re: Senator Scott's failure to vote on House Bill No. 419.

At 10:00 p.m. on April 14, the last night of the first extra session of the 43rd Legislature, a special meeting of the Senate Ways and Means Committee was called for the express and sole purpose of voting House Bill No. 419 out of Committee. A majority of the majority party had so decided. I have previously pledged myself on numerous occasions, both orally and in writing, to both consolidation of TRS and PERS, and parity between the two. The legislature contracted in January 1973, with Touche-Ross-Stennes, actuaries, Seattle for a \$60,000 study to these ends. That report is due Monday, April 17, 1973.

The majority should have brought this enormously expensive bill out before the last week of the legislature, when a full discussion of the whole Senate would have been possible. As it was, the Senate had met 28 of the previous 37 hours.

There was no extended opportunity in the brief committee meeting to discuss or change House Bill No. 419 to avoid the two benefits that have now been given, and cannot be retracted, which are greater than comparable benefits in PERS.

We are left with two competing systems, which are more costly to manage because they are separate.

The timing and the impact of House Bill No. 419, without amendments, were wrong. As law, unamended House Bill No. 419 will militate against the desired consolidation of PERS and TRS. I refused to be part of the procedure described above.

Signed by: Senator George W. Scott.

## EXPLANATION OF VOTE

April 14, 1973.

We voted "no" on Engrossed Substitute House Bill No. 419 relating to Teachers' Retirement System benefits because this premature action on the part of the Legislature jeopardizes the possibility of obtaining equity between the various state pension systems. We firmly support proper merger of the retirement systems to equalize member contributions and member benefits. In light of the work of the Pension Commission, and the anticipated Touche-Ross-Stennes study due within the next few weeks, we were hopeful that the objective of equity could be achieved. The passage of this bill at this particular time will make this goal extremely difficult, if not impossible, to achieve within the foreseeable future.

Signed by: Senators Canfield, Clarke, Atwood, Wanamaker, Bottiger, Sandison, Matson, Guess, Jones, Newschwander, Murray, Mardesich, Twigg.

## MOTIONS

On motion of Senator Mardesich, the Senate advanced to the eighth order of business.

On motion of Senator Mardesich, the following Senate Floor Resolutions were referred to the Committee on Rules and the Committee on Rules will direct such committee as indicated in each of the resolutions to study the subject as referred to in the resolution:

## SENATE RESOLUTION 1973-61

By Senator Washington:

WHEREAS, The Legislature has been considering the effective environmental impact statements on local, government and state agencies and on the relationship between such statements and the decision-making processes of such agencies; and

WHEREAS, There is a lack of precision in the meaning of the existing Washington State Environmental Policy Act regarding both the meaning of certain words, such as "significant", and on the effect of the environmental policy statement requirements relative to their effect on state projects; and

WHEREAS, The California Legislature has authorized the adoption of administrative rules regarding the preparation of environmental impact statements and the need for such statements under various given conditions; and

WHEREAS, There is a need for a clarification of the existing Environmental Policy Act in Washington and a need for as much uniformity in interpretation and application as possible; and

WHEREAS, Counties are considering and adopting ordinances regarding county environmental policy statements which may cause a lack of uniformity in application; and

WHEREAS, The Legislature is concerned with the authority of the existing act and the various legal questions which have been posed by court rulings, such as the September, 1972 Supreme Court rule regarding the Mammoth Lake area; and

WHEREAS, The Environmental Policy Act has a direct effect on the development of private lands;

NOW, THEREFORE, BE IT RESOLVED, That the Legislative Council, or appropriate standing committee, conduct a full study of the Environmental Policy Act, legislation which has been proposed in this state as well as in other states, and other questions regarding the preparation and enforcement of environmental policy statements. Such study shall be conducted in conjunction with the Association of Cities, Association of Counties, Department of Ecology, the Washington State Real Estate Association, and other interested public agencies and private persons. The results of such study and any recommendations shall be submitted to the next regular session of the Washington State Legislature or at such time as such study is completed.

## SENATE RESOLUTION 1973-62

By Senator Washington:

WHEREAS, New standards for evaluating water resources programs are being developed by the Water Resources Council; and

WHEREAS, the federal public works programs are directly affected by such standards, including channelization projects of the Corps of Engineers, the Bureau of Reclamation and the Soil Conservation Service; and

WHEREAS, Congress has declared that benefits must exceed costs in water resources development and at the present time environmental damages are not fully considered as part of water resources project costs; and

WHEREAS, Construction projects which would alter the course of free-flowing rivers or streams of the state should be fully reviewed, and channelization projects should be considered prior to implementation; and

WHEREAS, The Legislature should review existing state laws in light of the federal Water Bank Act of 1970 and other land use planning acts affecting water resources;

NOW, THEREFORE, BE IT RESOLVED, That the Legislative Council, or appropriate standing committee, undertake a full study of the problem of stream channelization; and

BE IT FURTHER RESOLVED, That the Legislative Council, or appropriate standing committee, report the results of its study and recommendations based thereon to the next regular session of the Legislature.

## MOTION

On motion of Senator Donohue, the following amendment was adopted: On page 1, line 23, after "the" strike "Legislative Council" and insert "Committee on Natural Resources".

## SENATE RESOLUTION 1973-63

By Senator Washington:

WHEREAS, The Legislature had not made a comprehensive review and redraft of all state-owned aquatic land laws since 1927; and

WHEREAS, The existing requirements for the administration of state-owned aquatic lands are confused and made difficult by conflicting statutory requirements; and

WHEREAS, State agencies and local governments have been considering and adopting various plans for shoreline management; and

WHEREAS, The management of aquatic lands should be consistent with the state's shoreline management act; and

WHEREAS, The aquatic land resources of the state have vital economic, scenic and environmental elements; and

WHEREAS, The policies on the sale and lease of aquatic lands have a direct effect on the availability of such lands to both industry and the general public, and such sales or leases have a potential effect on the marine environment;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate hereby requests the Legislative Council, or appropriate standing committee, in conjunction with appropriate state agencies and the various groups interested in aquatic land management, to review the entire scope of laws relating to management of state-owned aquatic lands and propose revised legislation in order to eliminate contradictory provisions and clarify legislative intent regarding management of this valuable resource in order to both serve the public interest and protect the marine environment.

BE IT FURTHER RESOLVED, That the results of such review and any appropriate legislation or recommendations be transmitted to the next regular session of the Washington State Legislature.



## SENATE RESOLUTION 1973-64

By Senators Lewis (Harry) and Day:

WHEREAS, Realizing that the legislature of the State of Washington is earnestly working for the improvement of programs for the blind; and

WHEREAS, Realizing that the National Federation of the Blind of the State of Washington is proposing the establishment of a state commission for the blind; and

WHEREAS, Realizing there exists a controversy as to the necessity of establishment of such a commission;

NOW, THEREFORE, BE IT RESOLVED, That the Senate empower a committee under the direction of the Legislative Council or the appropriate committee to study the feasibility of the establishment of such a commission.

BE IT FURTHER RESOLVED, That in this study the committee delegates thereof examine facilities and programs now existing in the State of Washington and similar commissions in the various states with particular attention to be given rehabilitation and job training and placement efforts and results.

BE IT FURTHER RESOLVED, That delegates of the committee be sent to the Iowa commission in Des Moines to study the Iowa program and report their findings to the committee.

BE IT FURTHER RESOLVED, That the Senate take action on the establishment of such a state commission as soon as practical after receiving the report of the committee.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the National Federation of the Blind of Washington.

## SENATE RESOLUTION 1973-65

By Senator Murray:

WHEREAS, Twentieth century technology has produced the respirator, the heart-lung machine, the kidney machine, organ transplants, cardiac massage, pacemakers, exotic drugs and sophisticated paraphernalia for bypassing spontaneous biological functions; and

WHEREAS, The use of such machines, drugs, and devices can prolong human life; and

WHEREAS, Withholding the use of such machines, drugs, and devices can terminate human life; and

WHEREAS, Scholars in the fields of law, medicine, psychology, and theology are deeply involved in studying the many and varied theories on death with dignity and the problems related thereto; and

WHEREAS, The moral, ethical, constitutional, and legal questions raised by any theory of death with dignity must ultimately be resolved by both the legislature and the people of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Legislative Council if in existence, or else the Committee on Social and Health Services, is requested to undertake a study of death with dignity and the moral, ethical, constitutional and legal problems relating to such theories;

BE IT FURTHER RESOLVED, That the results of the study be presented to the legislature for its consideration in January, 1975.

## SENATE RESOLUTION 1973-67

By Senator Day:

WHEREAS, It is declared to be the public policy of the state that its citizens shall receive high quality health care, including safe and therapeutically effective drug products at the most reasonable cost consistent with high quality standards; and

WHEREAS, Confusion in drug product nomenclature and price variations frequently exist between therapeutically effective, chemically equivalent drug products; and information tending to eliminate confusion or relating to price variations is not generally disseminated by manufacturers or other suppliers of drug products to prescribers; and

WHEREAS, It is the purpose of legislation in this area to aid prescribers and citizens of the state to obtain required high quality drug products at the most reasonable cost which can be achieved; and

WHEREAS, The development of a Washington formulary would encourage the availability and exchange of information relating to quality drug products among those professions involved in health care and health care services, including medicine, dentistry, osteopathy and pharmacy;

NOW, THEREFORE, BE IT RESOLVED, That the Senate hereby requests the Senate Social and Health Services Committee, or like committee or subcommittee be designated to undertake a comprehensive study of the subject leading to the development of a Washington formulary and that the committee utilize the expertise and experience of practitioners in the fields of medicine, dentistry, osteopathy and pharmacy to achieve this end; and that the committee utilize representatives of the Washington State Medical Association, Washington State Dental Association, Washington State Osteopathic Association, Washington State Pharmaceutical Association, Colleges of Pharmacy at Washington State University and the University of Washington and the School of Medicine at the University of Washington and the Washington State Board of Pharmacy in reaching its objectives;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-68

By Senators Sandison and Knoblauch:

WHEREAS, The Washington State Parks and Recreation Commission is operating a very limited program at Fort Worden State Park, utilizing available facilities; and

WHEREAS, A study conducted by the firm of John Graham and Company specified that there is a definite need for more vacation housing and a convention center which would be available to the general public and to organized groups at moderate cost; and

WHEREAS, The Fort Worden complex provides needed support for the economic well-being of the Port Townsend-Jefferson County area; and

WHEREAS, The uniqueness of the Fort Worden facility gives it statewide appeal; and

WHEREAS, The Fort Worden complex is well suited to the needs of several state agencies such as the State Arts Commission and the Superintendent of Public Instruction; and

WHEREAS, Such a conference center would facilitate both vocational education programs and establishment of an Indian cultural center;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Parks and Recreation Committee, or such standing committee or council as appropriate, is hereby requested to undertake a study to determine the proper use of the Fort Worden complex by the public and a recommended program for its administration.

BE IT FURTHER RESOLVED, That a report of such findings and recommendations be transmitted to the next regular session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-69

By Senators Bottiger and Woody:

WHEREAS, The steady rise in the price of beef has caused some consumers to substitute horsemeat in their diet as an alternative; and

WHEREAS, Horses are not generally raised for the purpose of providing food for human consumption; and

WHEREAS, This situation potentially could result in the unlawful removal and slaughter of horses for food;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Agriculture Committee of the Senate to undertake a study on the methods of branding horses, the feasibility of requiring slaughter houses to file the brands of horses slaughtered, and the possibility of making information on brands more readily available to the public.

BE IT FURTHER RESOLVED, That the results of this study and any recommendations be presented to any special session of the legislature convened in 1974 and, if no such session is convened, to the next regular session of the legislature.

## SENATE RESOLUTION 1973-70

By Senators Bottiger, Stortini and Gardner:

WHEREAS, The legislature appreciates the value of Northwest Trek to the state of Washington as a unique educational experience and as a significant attraction for visitors from outside the state; and

WHEREAS, Various facilities must be constructed and other expenses incurred before the full potential of Northwest Trek can be realized; and

WHEREAS, The funds available for construction of these facilities and other necessary improvements are limited;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Department of Natural Resources in cooperation with the Parks and Recreation Commission is requested to undertake a study of the need and feasibility of the partial state funding, maintenance and operation of Northwest Trek in conjunction with the Tacoma Metropolitan Park Board;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to any special session of the legislature convened in 1974, and, if no such session is convened, to the next regular session of the legislature.

## SENATE RESOLUTION 1973-72

By Senators Rasmussen and Henry:

WHEREAS, The totem pole opposite the General Administration Building on the Capitol Campus is one of the most distinguishing landmarks of the Olympia scene; and

WHEREAS, This art form ties the government of the state with the early day aspects of Indian history and the coming of white settlers to the territory; and

WHEREAS, Every effort is made to keep the Capitol Campus, its buildings and surroundings, in the best repair;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate hereby urgently requests that the totem pole above described be painted and restored to its full beauty; and

BE IT FURTHER RESOLVED, That a copy of this Senate Resolution be forwarded to the Honorable Daniel J. Evans, Governor, and to the director of the Department of General Administration, Mr. William E. Schneider.

## SENATE RESOLUTION 1973-75

By Senators Knoblauch and Wanamaker:

WHEREAS, The Puget Sound is recognized nationally as a major boating center of the nation; and

WHEREAS, The state of Washington is one of only three states that does not have up-to-date boating safety and regulation laws; and

WHEREAS, There is a concern on the part of the legislature to provide adequate boating safety enforcement and education; and

WHEREAS, The state of Washington has 94 boats for every 1,000 persons, while there are 40.8 boats for 1,000 persons nationwide; and

WHEREAS, There are approximately 185,000 boats in the state of Washington, of which only 95,000 are registered with the United States Coast Guard; and

WHEREAS, The legislature has been considering Substitute House Bill No. 316 during the 1973 regular and special legislative sessions;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Interim Committee on Parks and Recreation undertake a study of boat registration, water safety programs, and enforcement programs in cooperation with various state agencies and interested parties and report any findings and recommendations for legislation, if any, to the next regular session

of the legislature or to the next special session, if such study and recommendation are completed at that time.

#### SENATE RESOLUTION 1973-76

By Senators Knoblauch and Wanamaker:

WHEREAS, Driving for pleasure is the number one recreational activity engaged in by many Washingtonians; and

WHEREAS, There were approximately 356,000 total visitors that enjoyed the aesthetic qualities of the North Cross State Highway in 1972, and there are expected to be about 1,080,000 total visitors per year by 1980, which would reflect a sixty-six percent increase; and

WHEREAS, Recreationists enjoying overnight camping facilities in state parks along the North Cross State Highway increased by thirty-seven percent from 1971 to 1972;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Parks and Recreation Committee or such standing committee or council as appropriate, is requested to undertake a study to determine the need for development of additional camping and recreational facilities along the North Cross State Highway; and

BE IT FURTHER RESOLVED, That a report of such findings and recommendations be transmitted to the next regular session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-78

By Senator Francis:

WHEREAS, The abuse of narcotics, drugs and controlled substances in the state of Washington and related crime and social problems are ever increasing, and the related social and psychological burden on individuals and their families is of great concern to the state in terms of costs to all our citizens; and

WHEREAS, Private citizens and their families are victims of the criminal activities which stem from drug abuse; and

WHEREAS, Many states and foreign countries are facing similar problems in terms of abuse of narcotics, drugs and controlled substances and are developing various methods of alleviating this abuse; and

WHEREAS, It is necessary to propose some solutions to alleviate the drug problem that will take into consideration the rehabilitation of individuals addicted to narcotics, drugs and controlled substances.

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Senate Judiciary Committee is requested to hold hearings in the interim period to study narcotics, drug abuse, controlled substances, related crime and related social problems.

BE IT FURTHER RESOLVED, That for the purpose of securing necessary research, technical and supporting services, the committee shall be authorized to utilize the staff of state agencies which deal with narcotics, drug abuse and related crime and social problems.

BE IT FURTHER RESOLVED, That the committee shall report to the legislature the results of its study, together with recommended legislation where appropriate and any other action which may be appropriate to the next regular session of the legislature.

#### SENATE RESOLUTION 1973-79

By Senators Metcalf, Rasmussen, Peterson (Ted), Mattingly, Wanamaker, Mardesich, Durkan, Peterson (Lowell), Lewis (Harry) and Sandison:

WHEREAS, The fishery resource, both sports and commercial, is of vital importance to Washington state; and

WHEREAS, Sport and commercial salmon fishing rely both on natural spawning in unpolluted rivers and streams, and upon hatchery production; and

WHEREAS, A sport salmon fishery is of immeasurable value both to residents and to tourism in Washington state; and

WHEREAS, With the technology now available we can effect a massive increase in salmon production; and

WHEREAS, Federal cutbacks in oceanographic research and technology may have adverse effect on both sports and commercial salmon fishing; and

WHEREAS, Salmon released in Southern Puget Sound demonstrate a much higher tendency to remain resident in Puget Sound; and

WHEREAS, Indian tribes have shown a real desire to take the initiative in working with the Fisheries Department in developing salmon hatching and rearing facilities on reservation land that could yield immense returns to the sports, commercial, and Indian fishery in Washington state;

NOW, THEREFORE, BE IT RESOLVED, That the appropriate interim committee of the Senate study and prepare a program complete with cost estimates to present to the Legislature at the earliest possible session, which will utilize all the technology available toward hatching and rearing salmon with the objective of doubling salmon production in the next five years following the report, and with major emphasis on a Puget Sound sport salmon fishery.

#### SENATE RESOLUTION 1973-81

By Senators Gardner, Murray and Odegaard:

WHEREAS, The Washington state legislature has reason to believe that significant numbers of persons within the state of Washington come from environments where English is not the primary language and that persons with little or no English speaking experience continue to become residents of the state of Washington; and

WHEREAS, Educational experience has indicated that the use of English as the sole medium of instruction in the public schools is many times inappropriate for children of limited English speaking ability and that instruction using the child's native language may ensure more equal educational opportunities for these children; and

WHEREAS, There is a need for a comprehensive study of bilingual/bicultural education needs and the development of bilingual/bicultural education programs to meet these needs at the public school level; and

WHEREAS, The office of the Superintendent of Public Instruction is charged with the responsibility for supervising all matters pertaining to the public schools of the state of Washington; and

WHEREAS, The office of the Superintendent of Public Instruction in cooperation with other state agencies and bodies possesses the necessary expertise and operational capability to carry forth the intent of the legislature in conducting a comprehensive study of bilingual/bicultural education;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Superintendent of Public Instruction, with the cooperation of existing organizations representative of various ethnic groups, as well as other education groups as determined by the superintendent, undertake a comprehensive study of bilingual/bicultural education needs, services, and funding in the State of Washington; and

BE IT FURTHER RESOLVED, That the purpose of the study shall be (1) to adequately identify the parameters of need for bilingual/bicultural education, with special emphasis on the various degrees of linguistic and cultural insufficiency among those being classified as of limited English speaking ability; (2) to assess public school practices which affect negatively the achievement of children of limited English speaking ability; (3) to review federal, state, and local bilingual/bicultural education programs in existence today, including an assessment of state legislative proposals dealing with bilingual education; and (4) to formulate a statement of common objectives for bilingual/bicultural education in the state of Washington, and to identify general components which should be present in all such programs; and

BE IT FURTHER RESOLVED, That such a study be undertaken immediately upon adoption of this resolution and that the study along with its recommendations, be delivered to the legislature no later than November 1, 1973; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Secretary of the Senate upon the passage thereof to each agency cited in this resolution.

## SENATE RESOLUTION 1973-82

By Senators Twigg, Francis and Durkan:

WHEREAS, Communications made in whole or in part by wire, cable or other like connection operated by a telephone, telegraph or radio company for hire as a communication common carrier are often related or integral elements in the commission of crimes; and

WHEREAS, Such communications are essential to many criminal offenders, especially those involved in organized crime; and

WHEREAS, The use of such communications by persons engaged in criminal activities should not be a totally safe and free means of perpetrating crimes; and

WHEREAS, There are many circumstances in which normal investigative procedures with respect to such crimes are either ineffective or too dangerous to employ; and

WHEREAS, In such circumstances, the interception of such communications is necessary to successful law enforcement against crime and especially against organized crime; and

WHEREAS, Senate Bill No. 2144, read the first time on January 15, 1973, proposes a reasonable system for allowing and regulating the use of interception of such communications in law enforcement;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Senate Standing Committee on Judiciary conduct a study of the interception of such communications as it relates to law enforcement in general, and specifically as it relates to Senate Bill No. 2144, read the first time on January 15, 1973; and

BE IT FURTHER RESOLVED, That the results of said study and recommendations based thereon be presented to the Senate at the next regular session of the Legislature.

## SENATE RESOLUTION 1973-83

By Senator Odegaard:

WHEREAS, The legislature authorized the creation of intercounty rural library districts; and

WHEREAS, These districts may be created by acquiring the signatures of ten percent of the registered voters in each county of the proposed district or by majority vote of the county commissioners and by a majority vote of the people in each county; and

WHEREAS, Upon the creation of an intercounty rural library district, such district is considered a single district without consideration of county boundaries; and

WHEREAS, The millage available to the intercounty rural library district is dependent upon the activities of other junior library districts operating within the individual counties; and

WHEREAS, Other special districts, such as fire districts and hospital districts, have found that the present millage does not adequately finance their districts' functions; and

WHEREAS, Library districts have also found that the property tax is a restricted source for carrying on the intercounty rural library district functions; and

WHEREAS, The formation of a hospital district or fire district within the area of an intercounty rural library district affects the revenues generated from the property tax in all the other counties that are in the intercounty rural library district; and

WHEREAS, Dissolution of an intercounty rural library district is provided for only by acquiring the signatures of ten per cent of the registered voters and by a vote of the qualified electorate within the intercounty rural library district;

NOW, THEREFORE, BE IT RESOLVED, That the Senate request that a study be made as to allowing for dissolution by county commissioners in the same manner as intercounty rural library districts are authorized to be created;

BE IT FURTHER RESOLVED, That such study to be made by the Local Government Committee review the constitutional question of being able to dissolve such a district in this manner, since it is considered a single governmental unit after once being created; and

BE IT FURTHER RESOLVED, That the fiscal impact of such dissolution shall be considered not only for the county which may be removed from the intercounty rural

library district through such action, but also the fiscal impact on those counties still remaining within the intercounty rural library district; and

BE IT FURTHER RESOLVED, That such report be prepared for consideration by the legislature in January, 1974.

#### SENATE RESOLUTION 1973-84

By Senators Newschwander, Lewis (Harry) and Talley:

WHEREAS, The passage of Substitute House Bill No. 52, as amended by the Senate, concerning taxation of leasehold interests, may place Washington State ports at a competitive disadvantage with ports in neighboring states; and

WHEREAS, This disadvantage could result if there exists a serious differential in the taxation of port facilities for the purpose of the berthing of ships, barges, or other watercraft, or the discharging, handling, or loading of cargo, or for storage of such cargo directly incidental to trans-shipment;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That it is hereby recommended that the Committee on Ways and Means, or such other standing committee as may be appropriate, undertake a study of the taxation of such leasehold interests in public ports to determine whether a substantial taxation differential exists; and

BE IT FURTHER RESOLVED, That the results of such study, if undertaken, be reported to the next regular session of the Legislature.

#### SENATE RESOLUTION 1973-86

By Senators Washington, Donohue, Stortini, Murray, Guess and Whetzel:

BE IT RESOLVED, That the Senate requests the Senate Standing Committee on Ecology to undertake the following studies:

(1) The problem of air pollution, including the jurisdiction of local and state air pollution control authorities; and

(2) The oil spill prevention program of the Department of Ecology and any needed legislation to improve or further implement the program; and

(3) The Washington State Environmental Policy Act, its implementation and methods to improve the administration and application of the act; and

(4) The policies of leasing and sale of state-owned aquatic lands and the management of such lands; and

(5) The problem of channelization of streams and its effect on the environment; and

(6) The preservation of natural wetlands which have state-wide significance; and

(7) The implementation of the Environmental Coordination Act and possible methods to improve the permit procedures related to environmental permits; and

(8) In cooperation with the Transportation and Utilities Committee, study Senate Bill No. 2749; and

(9) The problem of dam safety inspection and the impact of dam construction on the environment; and

(10) The adequacy and implementation of state laws relating to weather modification; and

(11) Implementation of the Shorelands Act; and

(12) The preservation of the natural wetlands habitat of Loon Lake, Stevens County, and needed protection against unnatural fluctuation of water levels; and

(13) The implication of geologic considerations on building codes.

BE IT FURTHER RESOLVED, That the results of the studies and any recommendations be presented to the next regular session of the legislature or to a special session convened sooner if such studies are completed by that time.

#### SENATE RESOLUTION 1973-87

By Senator Rasmussen:

WHEREAS, Recent events in Whatcom County indicate the subject of pipeline safety should be thoroughly investigated; and

WHEREAS, An oil pipeline in that area ruptured, with subsequent information that the line had not been inspected for a period of some 12 years; and

WHEREAS, The current developing energy crisis indicates that all pipelines in the state totaling many thousands of miles of underground structures will be called upon to serve the needs of industry and homes for oil, gasoline and other fuels including natural gas; and

WHEREAS, The safety of the surrounding areas and the protection of the ecology of all of the state and preservation of our priceless environment dictate that such transmission pipelines must be safe and meet the most rigorous of safety standards;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington that an immediate study of all factors concerning every aspect of safety and structural adequacy of oil, fuel and natural gas pipelines in the state be made by the Utilities and Transportation Commission, with the assistance and cooperation of the Senate Committees on Transportation and Utilities and Ecology; and

BE IT FURTHER RESOLVED, That a report of such study be provided the 44th session of the Legislature and progress reports be submitted to any intervening session of the Legislature, and that a copy of this resolution be furnished by the Secretary of the Senate to the chairman of the commission and the Senate committees involved.

#### SENATE RESOLUTION 1973-89

By Senators Rasmussen and Peterson (Lowell):

WHEREAS, The supply of baitfish in Puget Sound and offshore waters of the state of Washington will determine the productive capacity of the sports and commercial fishery of the state; and

WHEREAS, Baitfish, such as anchovies and herring, have mysteriously been declining in some Pacific Coast and local waters; and

WHEREAS, This decline in offshore areas of California has seriously reduced baitfish supplies, forcing California fishing fleets to sweep offshore waters of Washington for anchovies, to the detriment of the fishery of this commonwealth;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington that a study of the baitfish supply of Puget Sound and offshore waters of the state be made by the Department of Fisheries, in cooperation with the Department of Game and the Senate Committee on Natural Resources, or the Interim Committee on Fisheries, Game and Game Fish, if it is so constituted by the Extraordinary Session of the 43rd Legislature; and

BE IT FURTHER RESOLVED, That results of such study with legislative recommendations be presented to the 44th Legislature, and that copies of this resolution be furnished the directors of the state departments above named and the chairman of the Senate Committee on Natural Resources or the chairman of the Interim Committee on Fisheries, Game and Game Fish.

#### SENATE RESOLUTION 1973-90

By Senators Walgren and Bottiger:

WHEREAS, The "energy crisis" may have a profound effect upon utility supplies; and

WHEREAS, The organizational structure and staffing of the utilities and transportation commission may require changes to better serve the public interest; and

WHEREAS, Inflationary costs plague rate regulation of utilities; and

WHEREAS, Cost distribution among utility users may result in certain inequities; and

WHEREAS, Alternative means and routes of transporting oil reflect various economics and potential environmental hazards; and

WHEREAS, Rapid growth in certain telephone exchange areas may be more economically resolved by automatic regrouping; and

WHEREAS, Public telephone service on state ferries may be desirable; and

WHEREAS, A lack of viable telephone service alternatives for low volume users requiring service in more than one zone exists; and

WHEREAS, Rate variations exist between private and public utilities in various adjacent geographical locations; and



WHEREAS, Utility relocation costs along public highway right-of-way may exceed the value of the easements, and federal moneys are available to participate in relocation costs;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Transportation and Utilities Committee in conjunction with the House Transportation and Utilities Committee be authorized to undertake studies with respect to the aforementioned subjects or related subjects and to report findings and recommendations to the legislature prior to the 1975 regular session.

## SENATE RESOLUTION 1973-91

By Senators Gardner and Durkan:

WHEREAS, Libraries are an essential part of our state education system and provide an important information network across the state; and

WHEREAS, Eleven counties are presently without any library service and other areas do not have adequate service, and a state-wide system of libraries would provide library service for those citizens without direct service and improve information resources and present library service; and

WHEREAS, The proliferation of knowledge results in a doubling every few years of the knowledge available to people thus making it imperative that resources be shared in as efficient a manner as possible; and

WHEREAS, Every library established or maintained throughout the state should be free for the use of the residents of Washington in order to assure the greatest benefit to the greatest number; and

WHEREAS, It is increasingly evident that the property tax, regardless of where or how collected, is a poor basis of support for library service thereby necessitating funding by the state for a state-wide system of libraries;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Standing Senate Ways and Means Committee conduct a study for alternative funding for a state-wide system of libraries that will provide for continued assured support;

BE IT FURTHER RESOLVED, That the results of said study shall be reported to the 1974 Session of the Legislature.

## SENATE RESOLUTION 1973-92

By Senator Talley:

WHEREAS, Smelt are an important natural resource in certain parts of Washington; and

WHEREAS, Smelt fishing and marketing are important industries on the Columbia River and its tributaries; and

WHEREAS, There have been increasing problems related to smelt fishing and marketing; and

WHEREAS, There has never been a comprehensive study of smelt fishing and marketing and the related problems;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Standing Committee on Natural Resources conduct a comprehensive study of the catching and marketing of smelt on the Columbia River and its tributaries; and

BE IT FURTHER RESOLVED, That the results of said study and recommendations based thereon be presented to the legislature at its next regular session.

## SENATE RESOLUTION 1973-93

By Senators Talley, Peterson (Lowell) and Odegaard:

WHEREAS, The lakes of the state of Washington are one of the state's greatest natural resources; and

WHEREAS, The lakes of this state are a great source of recreation and natural beauty; and

WHEREAS, The lakes of Washington support ecosystems unsurpassed in beauty and recreational value; and

WHEREAS, The lakes of Washington and the ecosystems they support are endangered by the excessive growth of weeds in the lakes; and

WHEREAS, Excessive weed growth, resulting from both natural and man-made causes, can damage a lake as much as the input of sewage and other pollutants;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Standing Committee on Natural Resources conduct a comprehensive study of the causes and the means of control of excessive weed growth in the lakes of the state of Washington; and

BE IT FURTHER RESOLVED, That the results of said study and recommendations based thereon be presented to the next regular session of the legislature.

#### SENATE RESOLUTION 1973-94

By Senator Lewis (Harry):

WHEREAS, The Senate has received Engrossed Substitute House Bill No. 593 for its consideration; and

WHEREAS, This bill deals with substantial revisions both in language and policy regarding property tax exemptions in the state; and

WHEREAS, It appears that some tax exemptions presently allowable should be removed, and that possibly some new exemptions should be granted; and

WHEREAS, There exist many inconsistencies among the various county assessors in their implementation of the tax exemptions statutes; and

WHEREAS, In some counties improved local administration of property exemptions has resulted in more strict interpretation of the statutes and assessment of properties of nonprofit social service agencies for the first time; and

WHEREAS, The remaining time of the first extraordinary session of the 43rd Legislature is too limited for proper and deliberate consideration in the public interest; :

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Ways and Means Committee immediately undertake a thorough study of Engrossed Substitute House Bill No. 593 and existing laws relating thereto, and the overall effect of such exemptions on the tax structure of the state.

BE IT FURTHER RESOLVED, That the Senate Ways and Means Committee immediately consider the taxable status of nonprofit social service agencies such as those included in the proposed Engrossed Substitute House Bill No. 593.

BE IT FURTHER RESOLVED, That the Senate Ways and Means Committee report its findings to the September, 1973 session of the Washington State Legislature, together with the Committee's recommendations regarding legislation in this field.

#### SENATE RESOLUTION 1973-95

By Senators Ridder, Fleming, Scott, Newschwander and Jones:

WHEREAS, Substitute Senate Bill No. 2854 appropriated four thousand dollars to the board for volunteer firemen; and

WHEREAS, Such bill requires that those funds be expended to conduct an actuarial study for volunteer firemen; and

WHEREAS, The public pension commission has the capability of conducting such a study;

NOW, THEREFORE, BE IT RESOLVED, That the public pension commission utilize the four thousand dollars appropriated to the board for volunteer firemen to conduct an actuarial study on a pension system for volunteer firemen; and

BE IT FURTHER RESOLVED, That the results of such study be made to the extraordinary session of the Legislature convened in September, 1973, for its consideration.

#### SENATE RESOLUTION 1973-96

By Senator Gardner:

WHEREAS, Over half of all property tax dollars raised in the State of Washington are spent to educate children in the elementary and secondary schools; and

WHEREAS, The taxpayer patrons of the common schools have expressed a desire to be more closely involved in school decision making; and

WHEREAS, The involvement of these taxpayer patrons would make the financial base of the educational institutions in this state more secure; and

WHEREAS, Innovation in the teaching-learning process is critical to programs in educational quality but is inhibited by the lack of adequate communication with taxpayer patrons; and

WHEREAS, There are available models for citizen involvement in public decision making;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Superintendent of Public Instruction prepare an inventory of current citizen involvement programs in the common schools, evaluate those programs, and develop recommended procedures for the involvement of the taxpayer patrons in school decision making.

#### SENATE RESOLUTION 1973-97

By Senators Talley, Mardesich and Ridder:

WHEREAS, Thirty million workers in the United States today are enrolled in 33,000 private pension plans with combined assets in excess of 150 billion dollars; and

WHEREAS, These plans, unregulated by any government agency, are the object of much public concern because of instances wherein those who rely upon the pensions for retirement security are denied the benefits they had anticipated; and

WHEREAS, This broad public concern within our state led to the introduction of legislation whose intent was to establish a commission to regulate the operation of private pension plans in this state; and

WHEREAS, The limitations of the normal hearing processes during the regular and extraordinary sessions did not permit the presentation of the full range of testimony needed as a basis for sound public policy on this complex issue;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the appropriate subcommittee on pensions of the Committee on Ways and Means is requested to undertake a study of the feasibility of some form of regulation over private pensions in this state; and

BE IT FURTHER RESOLVED, That a report of such findings and recommendations be transmitted to the next regular session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-98

By Senators Gardner, Francis and Rasmussen:

WHEREAS, Nearly twelve percent of the citizens of the State of Washington suffer some kind of physical, educational, or occupational handicap; and

WHEREAS, A movement has now started to consider the total needs of handicapped people including employment, housing, transportation, recreation, mobility, social, and educational needs in order to provide the handicapped with a totally fulfilling and satisfying life; and

WHEREAS, Society is now coming to accept the handicapped as productive, contributing members rather than helpless individuals seeking charity; and

WHEREAS, The time is overdue to re-examine the state role regarding programs for the handicapped in order to provide careful planning and thoughtful analysis for many underlying issues concerning the handicapped; and

WHEREAS, State law should be carefully examined in light of contemporary findings about the development of the handicapped since many laws make programs for the handicapped uneconomical and impractical; and

WHEREAS, The handicapped need strong protective legislation in order to clarify state policy to those responsible for providing education and opportunity and regulating the flow of resources so they benefit the handicapped;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Senate Committee on Social and Health Services be requested to study and determine needs and priorities of handicapped people throughout the State of Washington with the intention of acquiring knowledge of problems that the handicapped face which legislative action might alleviate.

## SENATE RESOLUTION 1973-99

By Senators Francis and Durkan:

WHEREAS, Substitute Senate Bill No. 2717 has passed the Legislature; and

WHEREAS, Such bill establishes the organized crime intelligence unit; and

WHEREAS, The establishment of such unit will have far reaching impact on the functioning of criminal justice agencies operating throughout this state; and

WHEREAS, It is a continuing duty of the Legislature to monitor and evaluate the effect of newly created programs; and

WHEREAS, Past legislation enacted by this body has been subject to subsequent refinement and updating by such process of continuous legislative evaluation;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Judiciary Committee is hereby requested to undertake a study of the impact of the establishment of the organized crime intelligence unit; and

BE IT FURTHER RESOLVED, That the committee report the results of such study, along with any recommendations the committee may have, to the next regular session of the legislature, and also to any intervening special session of the legislature.

## SENATE RESOLUTION 1973-101

By Senators Peterson, Lowell and Metcalf:

WHEREAS, The private aquaculture industry is growing each year; and

WHEREAS, Such growth makes a greater demand on the fresh water environment; and

WHEREAS, The detection, prevention, and treatment of diseases connected with the industry will make greater demands on the department's laboratory facilities; and

WHEREAS, The department of fisheries recently completed the purchase of reared salmon from private aquaculture industries; and

WHEREAS, Such purchase was beneficial to both the state and private sources; and

WHEREAS, The state may be able to contract for extended rearing of salmon and thereby save construction costs; and

WHEREAS, There is a need for rules and regulations to govern the operation of private aquaculture;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Standing Committee on Natural Resources conduct a study of the private aquaculture industry.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the extraordinary session of the legislature to be convened in January, 1974, if available, or to the next regular session of the legislature for its consideration.

## SENATE RESOLUTION 1973-102

By Senators Peterson (Ted) and Metcalf:

WHEREAS, Present licensing requirements and procedures frequently are inappropriate for the regulation of existing fishing practices; and

WHEREAS, There are additional problems relating to the licensing and reporting requirements of foreign firms shipping food fish and shellfish into the state for processing; and

WHEREAS, Closely related to the question of licensing are problems relating to clam and oyster farm leasing policies;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Senate Standing Committee on Natural Resources to undertake a study of the licensing policies and procedures of the Washington Department of Fisheries; and

BE IT FURTHER RESOLVED, That the results of such study be presented to any special session of the Legislature convened in 1974 and if no such session is convened, to the next regular session of the Legislature for its consideration.

## SENATE RESOLUTION 1973-103

By Senators Donohue and Jolly:

WHEREAS, The water resources of this state are a precious and limited resource belonging to all the people of the state; and

WHEREAS, Controversy exists over hydraulic applications as it relates to resource protection and water uses for agricultural or horticultural purposes; and

WHEREAS, Hydraulic Project Permits are required under RCW 75.20.100 for any diversion or use of state waters;

NOW, THEREFORE, BE IT RESOLVED, That the Senate hereby directs the Committee on Natural Resources to undertake a comprehensive study of the system of hydraulic project permits as a means of allocating the water resources of the state, and to report its findings and recommendations, including proposed legislation, to the Senate upon the convening of the 1974 extraordinary session of the legislature.

## SENATE RESOLUTION 1973-104

By Senators Sandison and Marsh:

WHEREAS, The growth of the recreational or personal-use fishery for food fish and shellfish in the waters of the state of Washington, particularly in Puget Sound, is becoming increasingly important to our citizens and the economics of the region; and

WHEREAS, The demand for food fish and shellfish is causing commercial fishermen to operate in areas heretofore not subjected to a commercial fishery; and

WHEREAS, Many of these areas are unable to support both a commercial and personal-use fishery without depletion of the food fish or shellfish populations; and

WHEREAS, The director of Fisheries does not have the authority to close one type of gear at the expense of the other; and

WHEREAS, The conservation of the food fish and shellfish resources is becoming increasingly complex due to the multiplicity of species involved and the increasing number of user groups, both for personal use and commercial purposes; and

WHEREAS, The supplies of certain food fish and shellfish are not inexhaustible or easily replaceable without large expenditures of state funds over long periods of time; and

WHEREAS, The economic benefits to the citizens of the state of Washington are not being maximized in many cases due to the limit on the Director of Fisheries' authority to regulate for conservation purposes only;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That a study be made by the standing committee on natural resources to determine the desirability and feasibility of establishing preserves for personal-use fishing for food fish and shellfish, and to determine the need to change the authority of the Director to regulate for purposes other than conservation if it will be in the best interest of the citizens of the state of Washington.

## SENATE RESOLUTION 1973-105

By Senators Peterson (Ted) and Metcalf:

WHEREAS, There is a present and increasing need to limit commercial fishing licenses in Washington Waters; and

WHEREAS, The Alaska Legislature has been presented with a plan to limit commercial salmon fishing licenses; and

WHEREAS, If the Alaskan plan becomes law it will affect many Washington fishermen; and

WHEREAS, A license moratorium has been recommended for Washington by the last interim committee on Natural Resources; and

WHEREAS, A plan similar in scope to the Alaskan plan has been recommended;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the standing committee on Natural Resources conduct a study of commercial salmon fishing license limitation for Washington waters; and

BE IT FURTHER RESOLVED, That the results of said study and recommendations based thereon be presented to the legislature by January 1, 1974.

## SENATE RESOLUTION 1973-106

By Senators Herr and Knoblauch:

WHEREAS, It is presently unclear to what extent the department of fisheries has authority over Washington resident fishermen fishing in waters outside the territorial limits of Washington for "Washington" food fish and shellfish; and

WHEREAS, It is also unclear how the department of fisheries should exercise such authority as it has;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Standing Committee on Natural Resources conduct a study to determine the authority of the department of fisheries over Washington resident fishermen fishing for "Washington" food fish and shellfish in waters outside the territorial limits of the State of Washington; and

BE IT FURTHER RESOLVED, That the results of said study be presented to the legislature by January 1, 1974, for its consideration.

## SENATE RESOLUTION 1973-107

By Senators Rasmussen and Peterson (Lowell):

WHEREAS, The mobility of resource users today, coupled with the development of all-terrain vehicles and extensive roadway systems, has substantial effect on all wildlife resources; and

WHEREAS, Wildlife resources are of paramount importance to all the residents of this state and require protection and perpetuation; and

WHEREAS, A limitation of roadways into wildlife resource areas should be studied as a means to control access to provide for optimum use of wildlife resources;

NOW, THEREFORE, BE IT RESOLVED, That the Senate hereby directs the Committee on Natural Resources to undertake a comprehensive study of access management as it relates to the use of wildlife resources and to report findings and recommendations, including proposed legislation, to the Senate at the convening of the 1974 extraordinary session of the Legislature.

## SENATE RESOLUTION 1973-108

By Senators Matson and Peterson (Lowell):

WHEREAS, Public Law 89-699 directs that various government agencies, including the Forest Service, U.S. Department of Agriculture—"shall seek to protect native species of fish and wildlife . . . that are threatened with extinction and shall preserve the habitat of such threatened species"; and

WHEREAS, The wildlife species involved are primarily resident forms of wildlife and as such, are the responsibility of the state. Federal programs in the past have contained overriding authority rather than a mandate to cooperate on mutually agreeable operational state programs; and

WHEREAS, There also exists a feeling among some that significant differences exist in standards of professional ability between federal and state personnel engaged in fish and wildlife, which erroneous notion should be dispelled; and

WHEREAS, Because of funding limitations at both federal and state levels, it is essential that federal and state program technical capabilities be cooperatively directed and rationalized so as to obtain the best return for the conservation dollar; and

WHEREAS, At the present time, under preemption, federal authority is used to destroy important ongoing state wildlife programs. A current example in the state of Washington is the federal preemption of marine mammals with particular reference to killer whales.

NOW, THEREFORE, BE IT RESOLVED, That the Senate hereby directs the Committee on Natural Resources to undertake a comprehensive study of federal preemption of state wildlife responsibilities with particular reference to mammals, predators, and rare and endangered species, and to report findings and recommendations, including proposed legislative action, to the Senate upon the convening of the 1974 extraordinary session of the legislature.

## SENATE RESOLUTION 1973-109

By Senators Marsh, Talley, Henry, Peterson (Lowell) and Metcalf:

WHEREAS, The Columbia River is an excellent source of spring Chinook salmon; and

WHEREAS, There is a significant catch of such salmon each year by commercial fishermen; and

WHEREAS, The preservation of this valuable natural resource is important to all the citizens of our state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the House and Senate Standing Committees on Natural Resources, acting jointly, are requested to undertake a study of the economic and social impact of the elimination of further restriction of commercial fishing for spring Chinook salmon on the Columbia River.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the legislature for its consideration at any extraordinary session convened in 1974, or to the next regular session of the legislature if there is not an extraordinary session convened in 1974.

## SENATE RESOLUTION 1973-110

By Senator Washington:

BE IT RESOLVED, By the Senate, That the Public Pension Commission undertake a study of the use of overtime pay and accrued annual leave and accrued sick leave in computing the average final compensation for retirement purposes.

BE IT FURTHER RESOLVED, That the results of this study be reported by the Public Pension Commission to the legislature in September, 1973.

## SENATE RESOLUTION 1973-111

By Senators Bailey and Ridder:

WHEREAS, School districts are required to operate on a fiscal year of July 1 through June 30; and

WHEREAS, Most state funds for school districts are allotted for the period September 1 through August 31; and

WHEREAS, Local property taxes are levied and collected on a calendar year; and

WHEREAS, All certificated employees of school districts who have not received notice of nonrenewal of employment contracts by April 15 are conclusively presumed to be reemployed for the next ensuing term as provided by RCW 28A.67.070; and

WHEREAS, Assessed valuations for the ensuing calendar year are not available to school districts until October; and

WHEREAS, Indicated ratios necessary for the calculation of state property taxes for the ensuing calendar year are not available until November; and

WHEREAS, All school district boards of directors are required by RCW 28A.65.070 to meet on or before June 1 to fix and adopt a preliminary budget for the ensuing fiscal year; and

WHEREAS, School districts are currently required by RCW 28A.65.120 to certify the final budget and the amount to be raised by taxation to the county commissioners on or before the first Monday of October; and

WHEREAS, The aforesaid facts illuminate the ludicrous situation school districts presently find themselves in with respect to adopting their budgets;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Superintendent of Public Instruction is hereby requested to conduct a study and to submit to the 1974 or next regular session of the legislature a report addressed as to how school districts can prepare, adopt and file only one budget for a fiscal year. Such report shall contain specific recommendations, including changes in practices and proposed legislation, in order to carry out the objective of one school district budget for each fiscal year. In order to accomplish this study the superintendent shall seek advice from representatives of the Washington State School Directors Association, the Washington Association of School Administrators, the Washington Association of School Business Officials, the Washington Education Association,

the Washington State Federation of Teachers, members of the general public, as well as the Office of Program Planning and Fiscal Management, the Department of Revenue, and the Office of the State Auditor.

BE IT FURTHER RESOLVED, That upon the passage of this resolution the Secretary of the Senate shall transmit copies thereof to the Superintendent of Public Instruction, the offices of the Washington State School Directors Association, the Washington Association of School Administrators, the Washington Association of School Business Officials, the Washington Education Association, the Washington State Federation of Teachers, the Director of the Office of Program Planning and Fiscal Management, the Director of the Department of Revenue and the State Auditor.

#### SENATE RESOLUTION 1973-112

By Senator Lewis (Harry):

WHEREAS, Minor forest products including Christmas trees, evergreen foilage, cascara bark, huckleberry brush, salal, sword ferns, rhododendron greens, and seed cones constitute a valuable renewable resource of the state; and

WHEREAS, The easy access to these valuable products, on both private and public forest lands, can result in harvesting by unauthorized persons who trespass on private property and who take private or public property for their own commercial uses, with resultant loss to the actual owners; and

WHEREAS, The illegally taken forest products are ordinarily transported by public highway across county lines from the place of harvest to the place of marketing; and

WHEREAS, Present state and local regulations may not be adequate to control abuses in this field;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Committee on Natural Resources is authorized to undertake a study to determine the desirability and feasibility of adopting supplemental or new legislation in this field at the state level; and

BE IT FURTHER RESOLVED, That the results of any study be reported to the legislature by January 1, 1974.

#### SENATE RESOLUTION 1973-114

By Senators Fleming, Murray, Ridder, Mardesich and Whetzel:

WHEREAS, The Local Government Committee of the Senate has had under consideration many bills affecting county-city, water districts, sewer districts, diking districts, and drainage districts, etc.; and

WHEREAS, These bills have tended to dominate the majority of the Standing Local Government Committee's time; and

WHEREAS, At this time there are 1,705 various taxing districts at the local level; and

WHEREAS, Senate Bill No. 2727 would have brought about consolidation of water and sewer districts; and

WHEREAS, Senate Bill No. 2271 was introduced to create a Cascade County; and

WHEREAS, Senate Bill No. 2499 was introduced to create the Evergreen County; and

WHEREAS, There was legislation discussed which would allow for the consolidation of counties;

NOW, THEREFORE, BE IT RESOLVED, That the Standing Local Government Committee of the Senate be instructed to study and recommend what units of local government may be consolidated and what format should be taken in their consolidation; and

BE IT FURTHER RESOLVED, That the Standing Local Government Committee study the problems of the multiplicity of local jurisdictions, their effectiveness in rendering services to the citizens, their revenue sources, their expenditure patterns, and that such committee report on a continuing basis to the Legislature in September, 1973, January, 1974, and January, 1975 at the 44th regular session of the Washington State Legislature.



## SENATE RESOLUTION 1973-115

By Senators Donohue, Lewis (Harry) and Keefe:

WHEREAS, Problems have become evident during the 1973 session of the legislature regarding the hiring practices presently being used by the various race track officials within the State of Washington; and

WHEREAS, It appears that there is a vast variance among the methods being employed at the horse racing tracks within the State regarding the standards used in the letting of contracts to vendors at the tracks, as well as the quality of the services rendered by such vendors; and

WHEREAS, It appears that the decision-making policies of the racing commission of the State, including but not limited to the establishment of dates of races, should be scrutinized by the legislature;

NOW, THEREFORE, BE IT RESOLVED, That the Ways and Means Committee of the Washington State Senate immediately undertake a complete and thorough investigation of the entire racing procedure within the state to recommend solutions to the aforementioned problems and to recommend necessary legislation in the entire field of horse racing activities;

BE IT FURTHER RESOLVED, That the aforementioned committee report its findings, together with any proposed remedial legislation it may deem appropriate to the Legislature, prior to January 1, 1974.

## SENATE RESOLUTION 1973-116

By Senators Durkan, Peterson (Ted) and Day:

WHEREAS, There are a number of organizations engaged in projects of leasing vast areas of land for exclusive use of their members for the taking of game and fish; and

WHEREAS, In the state of Oregon in excess of 25,000 acres are known to be controlled by an organization known as Adventures Unlimited; and

WHEREAS, This organization, or similar ones, may even now be taking options on lands within the state of Washington; and

WHEREAS, These organizations charge a substantial membership fee and thereby prohibit all but a privileged few from utilizing such areas; and

WHEREAS, The wild animals, birds, and fish in the state of Washington and the waters thereof are a valuable public asset preserved, protected, and perpetuated by expenditures of general tax revenues and license fees; and

WHEREAS, All residents must be assured equal access to the wild game, birds, and fish of the state at a reasonable cost and under reasonable regulations;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Standing Committee on Natural Resources shall undertake a study of the leasing of public lands utilized for limited access hunting and fishing.

BE IT FURTHER RESOLVED, That the committee shall prepare recommendations and suggested legislation, if any, to provide for the appropriate regulation of such leasing practices and hunting and fishing activities.

BE IT FURTHER RESOLVED, That the results of the study shall be presented to the extraordinary session of the Legislature to be convened in January, 1974 for its consideration.

## SENATE RESOLUTION 1973-117

By Senators Woody, Murray, Peterson (Lowell) and Peterson (Ted):

WHEREAS, All-terrain vehicles have been regulated in this state since 1971; and

WHEREAS, The present statute has provisions for the distribution of moneys received from gas taxes on all-terrain vehicles; and

WHEREAS, The distribution formula has received conflicting interpretations; and

WHEREAS, The state agencies involved in the distribution of such funds would like to have a clarification of legislative intent;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Standing

Committee on Natural Resources undertake a study of the distribution of gas tax moneys from all-terrain vehicles for the purpose of preparing legislation to clarify the formula.

BE IT FURTHER RESOLVED, That the results of such study and any recommendations be presented to the January, 1974 Session of the Legislature for its consideration.

#### SENATE RESOLUTION 1973-118

By Senators Gardner, Peterson (Ted) and Murray:

WHEREAS, The marine lands of the state of Washington are valuable state natural resources; and

WHEREAS, The Marine Land Laws of the state of Washington dealing with the beds, tides, and shores of the navigable waters of the state have been amended in piece-meal fashion over the past 80 years; and

WHEREAS, The statutes governing such lands are therefore overly complicated and sometimes unclear as to their intent; and

WHEREAS, It would be in the interest of good government and good land management to simplify and clarify said Marine Land Laws;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the standing committee on Natural Resources, in cooperation with the Department of Natural Resources, conduct a comprehensive study of the Washington Marine Land Laws and propose a new draft of said laws which more clearly and simply conveys the intent of the legislature in administering these lands; and

BE IT FURTHER RESOLVED, That the results of said study and the proposed legislation be presented to the legislature for its consideration by January 1, 1974.

#### SENATE RESOLUTION 1973-119

By Senators Bailey and Odegaard:

WHEREAS, Recognizing the increased use of the waterways of the State of Washington by the boating public, it is in the interest of public safety to emphasize the removal of deadheads and partially submerged logs from said waters; and

WHEREAS, Under present statutes there is conflict and friction between log patrolmen and segments of the forest industry; and

WHEREAS, House Bill No. 1096, first read on March 28, 1973, provides one means of paying for the removal of such hazards, of removing some friction and of limiting the number of log patrolmen;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Standing Committee on Natural Resources conduct a comprehensive study of the aforementioned problems and the solutions proposed by House Bill No. 1096; and

BE IT FURTHER RESOLVED, That the results of said study and recommendations for legislation based thereon be presented to the legislature for its consideration by January 1, 1974.

#### SENATE RESOLUTION 1973-120

By Senators Henry, Canfield, Peterson (Lowell) and Peterson (Ted):

WHEREAS, Geothermal energy is a valuable natural resource of the future; and

WHEREAS, The state of Washington, because its great mountain ranges bring geothermal energy close to the earth's surface, is suitably located for the development of geothermal energy as a viable source of energy; and

WHEREAS, It is possible to waste geothermal energy through "blowouts" and improper drilling; and

WHEREAS, It is therefore important to Washington to regulate geothermal drilling at an early stage to prevent such energy loss; and

WHEREAS, It is therefore necessary to determine which state agency shall regulate geothermal exploration;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Standing Committee on Natural Resources conduct a comprehensive study of future geothermal exploration and development of geothermal energy and determine the state agency best suited to regulate such development; and

BE IT FURTHER RESOLVED, That the results of such study and recommendations based thereon be transmitted to the legislature for its consideration by January 1, 1974.

#### SENATE RESOLUTION 1973-121

By Senators Francis and Fleming:

WHEREAS, The successful resolution of the misunderstandings which have developed between Indians and many non-Indians relating to the rights of tribal-enrolled Indians to conduct off-reservation hunting and fishing is the goal of all the residents of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the House and Senate standing committees on Natural Resources, acting jointly, are requested to undertake a study of off-reservation hunting and fishing rights and of Indian treaty rights.

BE IT FURTHER RESOLVED, That the committee which undertakes the study shall appoint a seven-man citizen advisory committee, broadly representative of the interests involved, to work with and advise the committee on:

(1) The present and future impact of subsistence and commercial off-reservation hunting and fishing on the wildlife resources of our state; and

(2) The legal determinations that have been promulgated by state and federal courts relative to these rights.

BE IT FURTHER RESOLVED, That public hearings be held at whatever times and places necessary to get the widest possible public response to the issues involved; and

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the legislature for its consideration at any extraordinary session convened in 1974, or to the next regular session of the legislature if there is no extraordinary session convened in 1974.

#### SENATE RESOLUTION 1973-122

By Senators Whetzel, Murray and Fleming:

WHEREAS, Many municipalities have undertaken construction work for various agencies of municipal government including utilities owned by municipal government, and as a result keep on the municipal payroll large numbers of construction workers, it has been suggested that construction work might be done at less cost to the municipality by putting the work out for bid to private contractors; and

WHEREAS, Although the undergrounding of municipally owned electric utility systems has frequently been done by municipal employees instead of outside contractors, it has been suggested that such work could be done less expensively for the municipality, for the local improvement districts and for the private property owners if such work were uniformly placed out for bid;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Local Government Committee shall study advantages or disadvantages to the municipality, contractors, taxpayers, and property owners in an assessment district of requiring that municipal construction work including the undergrounding of electric utilities should be submitted to bid by private contractors instead of being done by city municipal personnel.

The Local Government Committee is directed to report the results of its study together with recommendation to the Legislature prior to January 1, 1974.

#### SENATE RESOLUTION 1973-123

By Senators Whetzel, Murray and Fleming:

WHEREAS, The state of Washington through its various instrumentalities and agencies owns a substantial amount of land and structures in the state of Washington which are exempt from real estate taxation under Article VII of the state Constitution; however, many

units of local government in which state exempt property is situated have a difficult time providing for necessary public services of police and fire, schools, libraries, roads, and other government services because of the large amount of tax exempt property; and

WHEREAS, The presence of exempt property increases the tax burden on non-exempt property as well as increasing the demand for public services to the exempt property;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, That the Local Government Committee undertake a study of whether the state can waive its property tax exemption in whole or in part and what the financial impact would be on the state and upon the various units of local government in which state property is located and what the impact would be upon the taxpayers whose property is not exempt if the taxes were levied upon exempt state property and a proportional reduction provided for the taxpayers on non-exempt property;

BE IT FURTHER RESOLVED, That the Local Government Committee is directed to report the results of its study to the Legislature together with any recommended legislation prior to January 1, 1974.

#### SENATE RESOLUTION 1973-124

By Senators Whetzel and Dore:

WHEREAS, The Legislature has adopted House Bill No. 423 authorizing alien banks to be established in Washington in order to assist Washington banks to engage in establishing offices abroad, especially in Japan; and

WHEREAS, The number of foreign controlled banks, agencies, branches and representative offices in the United States has grown to more than 430 from 175 in 1965, the banking laws and regulations of the United States and the states have been less restrictive on the merger and expansion of foreign banks than on domestic banks; and

WHEREAS, Foreign banks have substantial assets, in part as a result of devaluations of the dollar, to employ in the state of Washington, such assets should be employed in a constructive manner to benefit the people and economy of our state instead of to their detriment. Many foreign banks, particularly Japanese, have close affiliations with foreign industrial and trading corporations such as the Japanese affiliated groups or Zaibatsu companies. It has been reported that some alien banks have used their affiliated companies to acquire control of domestic banks because of weaknesses in state and federal banking laws and regulations;

NOW, THEREFORE, BE IT RESOLVED, That the Committee on Financial Institutions shall study the banking laws to see that banks of our state are enabled to operate abroad effectively as a result of House Bill No. 423, and that alien banks and entities are not authorized greater powers in banking in Washington than persons of Washington are permitted and report back the results of its study together with any recommended legislation to the Legislature prior to January 1, 1974.

#### SENATE RESOLUTION 1973-125

By Senators Whetzel and Fleming:

WHEREAS, The Legislature has authorized housing authorities of first class counties to set up group homes or halfway houses for juvenile offenders or developmentally disabled, and other counties are desirous of the extension of this authority to their housing authorities; and

WHEREAS, Such group homes or halfway houses are most effective in residential neighborhoods and are accepted by many neighborhoods as a proper conditional use; however, the special status given housing authorities by the case of *Mercy v. Seattle* has given rise to concern over the implementation of group homes, halfway houses and other housing projects by summary zoning procedures different from those applicable to other persons and agencies;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Local Government Committee study the authorization of housing authorities in all counties to establish group homes and halfway houses for juvenile offenders and the developmentally disabled and

further study how housing authorities can undertake these and other housing projects in compliance with the zoning laws and procedures applicable to all other persons.

BE IT FURTHER RESOLVED, That the Local Government Committee should report to the Legislature on its study together with its recommendations prior to January 1, 1974.

## SENATE RESOLUTION 1973-126

By Senator Walgren:

WHEREAS, The wage structure of the various toll collectors on the various state toll facilities involves extremely complex contractual relationships; and

WHEREAS, The 1973 Legislature has been unable to resolve these difficulties in an equitable manner; and

WHEREAS, The differential in pay between the toll collectors on the state ferry system and those on the Hood Canal Toll Bridge seems unnecessarily great;

NOW, THEREFORE, BE IT RESOLVED, That the standing committees on Transportation and Utilities of the Washington State Legislature, in consultation with all interested parties, shall study the complete cost and wage structure of the toll facilities and shall present their recommendations to the September session of the Legislature; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the chairmen of the House and Senate Committees on Transportation and Utilities.

## SENATE RESOLUTION 1973-127

By Senator Dore:

WHEREAS, A very significant portion of the proposed legislation introduced in the Senate in the 1973 regular and first extraordinary sessions concerned banking and financial institutions; and

WHEREAS, Such of the proposed legislation as is still pending will most probably be reintroduced at the extraordinary sessions in September, 1973, and January, 1974; and

WHEREAS, The entire subject of regulation of financial institutions is of the greatest importance to the people of the state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Committee on Financial Institutions is authorized to study all facets of banking, insurance, and financial institutions, including satellites, branches, malpractice insurance, the uniform commercial credit code, multi-bank holding companies, rates, and the proposals of the Hunt Commission relating to powers of financial institutions and regulatory agencies, together with all subjects which will be considered by the House Committee on Financial Institutions, on which will be held joint hearings; and

BE IT FURTHER RESOLVED, That the Senate Committee on Financial Institutions is authorized to hold joint hearings with the House Committee on Financial Institutions.

## SENATE RESOLUTION 1973-128

By Senators Murray and Durkan:

WHEREAS, The criminal justice system of the state of Washington would greatly benefit from the establishment of a statewide program providing for training of personnel in all elements of the criminal justice system, including law enforcement personnel, correctional personnel, judicial personnel and those in related areas; and

WHEREAS, Such a program of criminal justice education can best be accomplished through establishment of a Washington state criminal justice training commission composed of sheriffs, chiefs of police, representatives of county and state correctional systems, county prosecuting attorneys and municipal attorneys, members of judiciary, local government officials, the attorney general and a representative of the federal bureau of investigation; and

WHEREAS, The training program established by such a commission may best be conducted at a single location at which location could be concentrated the most qualified

instructors in all areas of the criminal justice system, at which center interdisciplinary interaction among the various elements of the criminal justice system could take place; and

WHEREAS, An ideal facility exists for the location of such a training center at Providence Heights, Washington, in the form of a rurally located college that has become surplus to the needs of the Sisters of Providence; and

WHEREAS, This excellent facility is available for use as Washington's criminal justice training center at a price substantially below that which would be required were the state to construct such a facility, \$4,500,000; and

WHEREAS, A major portion of the funds necessary to purchase this fine facility may be available to the state of Washington under the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351 as amended by Public Law 91-644, 42 USC 3731-3737 as amended); and

WHEREAS, Should the state fail to take reasonably prompt action directed at accepting the offer of this facility at the above mentioned figure it may prove to be unavailable;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Local Government Committee and the Senate Ways and Means Committee jointly undertake a detailed study of the feasibility of the state of Washington's acquisition of the Providence Heights facility and a detailed study of the available sources of funding for such an acquisition.

BE IT FURTHER RESOLVED, That the above mentioned committees shall jointly report to the next session of the legislature first occurring.

#### SENATE RESOLUTION 1973-129

By Senators Whetzel and Murray:

WHEREAS, The concept of a state-wide land use plan was introduced and considered by this legislature; and

WHEREAS, This complex bill is a comprehensive plan involving the state and local governments; and

WHEREAS, This bill has a major impact on land use, industrial development, and protection of our natural resources; and

WHEREAS, This bill has a considerable fiscal impact on the budgets of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Senate Standing Committee on Natural Resources in conjunction with the Standing Committee on Local Government conduct an in-depth study of House Bill No. 791;

BE IT FURTHER RESOLVED, That the results of the study be presented to the January, 1974 extraordinary session of the Legislature for its consideration.

#### SENATE RESOLUTION 1973-130

By Senators Durkan, Fleming and Odegaard:

WHEREAS, The great demand for medical doctors is not being completely met by present educational programs and medical student selection criteria; and

WHEREAS, The present shortage of doctors is particularly acute as to doctors inclined toward engaging in general practice and toward practicing in rural or low income areas; and

WHEREAS, The present yearly number of highly qualified applicants to medical school greatly exceeds the number of spaces available, and the applicants possess a broad and varied range of individual talents and qualifications; and

WHEREAS, The criteria for admission to publicly supported medical schools should conform to and foster the overall public interest;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and directs the Senate Committee on Social and Health Services to:

(1) Study methods for increasing, without major additional capital expenditures, the number of doctors graduated in this state each year;

(2) Study present criteria and procedures for selecting students from among applicants to medical school, with particular emphasis on determining the desirability of modifying those criteria or procedures in order to select students who give promise of meeting

projected state needs for general practitioners and for doctors in rural and low income areas, and for meeting any other state medical needs not presently being adequately met;

(3) Propose means of implementing suggestions for courses of action arising from these studies; and

BE IT FURTHER RESOLVED, That the administration of the University of Washington and University of Washington Medical School are requested to assist and cooperate in the study authorized herein; and

BE IT FURTHER RESOLVED, That the results of the study and any resulting recommendations be presented to the legislature for consideration at the extraordinary session to be convened in September, 1973.

#### SENATE RESOLUTION 1973-131

By Senators Durkan and Fleming:

WHEREAS, The law enforcement officers' and firefighters' retirement system is instrumental in attracting qualified persons to the fields of law enforcement and firefighting; and

WHEREAS, The system needs periodic changes to keep pace with changing times; and

WHEREAS, Such changes are complex and detailed due to the nature of the subject matter; and

WHEREAS, The legislature needs information on how changes in the system affect the rights of persons receiving benefits and those vested rights of persons who will receive benefits in the future; and

WHEREAS, Substitute Senate Bill No. 2266 was introduced into the First Extraordinary Session of the 43rd Legislature; and

WHEREAS, Such bill makes many changes in existing laws;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the appropriate Senate Standing Committee is requested to undertake a study of Substitute Senate Bill No. 2266 and recommend to the legislature what action should be taken to insure that the LEFF system continues to meet the needs of its members;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to any extraordinary session of the legislature convened in 1974 or to the next regular session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-132

By Senator Durkan:

WHEREAS, The ancient practice of acupuncture includes potentially great advantages to the public by combining those ancient skills with modern medical techniques and knowledge; and

WHEREAS, The availability of study and experimentation procedures relating to acupuncture should be encouraged in order to fully utilize the benefits of acupuncture for the people of this state; and

WHEREAS, Concerned members of the medical profession have raised serious and critical issues concerning the potential adverse effects of uncontrolled and unregulated practices of acupuncture; and

WHEREAS, Unregulated practice of acupuncture has had deleterious results in some cases;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Committee on Social and Health Services be directed to undertake a study of the benefits potentially available to the people of the state by the properly supervised and regulated practice of acupuncture, and that said committee report its recommendations to the next regular session of the legislature for the proper development, utilization and control of acupuncture in order to provide the availability of the benefits of said practice to the people of this state subject to effective regulations and control to ensure adequate protection to the public.

## SENATE RESOLUTION 1973-133

By Senators Gardner, Francis and Murray:

WHEREAS, Population growth is a fundamental part of many social environmental issues and aggravates the problem of congestion and resulting urban unrest, shortages of resources and facilities, maldistribution of state population, and pollution and environmental deterioration; and

WHEREAS, An additional one million people have been predicted in the state of Washington in the next thirty years and could have a negative impact upon the present quality of life; and

WHEREAS, A critical need exists for study and evaluation of the consequences of present decisions and projected trends upon the future state environment; and

WHEREAS, The public has the right to be allowed the opportunity to express their individual and community views on population growth and local distribution and to be informed of the long-range implications of such; and

WHEREAS, It is the responsibility of government to seek to guarantee to our children and descendants a healthy environment and optimum quality of life, free from drastic social and environmental concessions;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That in the interests of the future well-being of this state, the Senate Committee on Social and Health Services be requested to conduct a state-wide study and evaluation of population growth and distribution with regard to:

- (1) Environmental and social problems confronting the state;
- (2) Individual, local, and state goals in standard of living, health care, education, housing, transportation, government, welfare, recreation and wilderness preservation, and other social and cultural aspects of life;
- (3) Optimum population size and distribution;
- (4) Policies and programs related to family planning;
- (5) The conclusions of similar studies by other states, the United States, and international groups;
- (6) Other relevant determinants, including migration; and

BE IT FURTHER RESOLVED, That the committee be requested to study the consequences of alternative patterns and rates of growth, including resource requirements, cost of state services, economic prosperity, the fulfillment of individual, local, and state goals, and individual and government commitments necessary to attain such alternatives; and

BE IT FURTHER RESOLVED, That the committee be requested to maintain communication between the local, regional, and state planning agencies, commissions, governments, citizens' groups, and media during its study, and that findings and recommendations be made available to the citizens of Washington state, including but not limited to a series of seminars held both east and west of the Cascade Mountain range; and

BE IT FURTHER RESOLVED, That the Senate Committee on Social and Health Services is requested to present to the next regular session of the Legislature its findings, recommendations, and suggested legislation; and

BE IT FURTHER RESOLVED, That all state agencies and offices are requested to develop long-range planning processes whereby alternative state development policies may be developed and a state policy on growth may be formulated.

## SENATE RESOLUTION 1973-134

By Senators Ridder and Fleming:

WHEREAS, Cities, counties, and other municipal corporations frequently have substantial amounts of public funds available for short and medium term investments; and

WHEREAS, If appropriately invested to obtain the maximum available rate of return these investments significantly increase these public fund treasuries; and

WHEREAS, Certain existing laws may impose undue limitations on interest rate returns for cities, counties, and other municipal corporations' funds;



NOW, THEREFORE, BE IT RESOLVED, By the Senate, That it hereby authorizes and directs the standing Committee on Local Government to undertake a study of existing statutes relating to such investments, to study the investment practices and programs and rates of return for such investments, and to determine if legislation may be desirable to effectuate changes in public fund investment practices.

BE IT FURTHER RESOLVED, That the results of such study be reported to the next special or regular session of the Legislature, whichever convenes sooner.

## SENATE RESOLUTION 1973-136

By Senators Ridder and Gardner:

WHEREAS, Many special levies are being lost throughout the state each year and student populations are declining in large urban areas; and

WHEREAS, Numerous school districts are being faced with reduction of certified staff; and

WHEREAS, Teachers with high seniority are being passed over for jobs because of their expense to the hiring district due to low staff weighting formula; and

WHEREAS, There are a significant number of teachers with over ten years' experience being without positions due to such staff reductions;

WHEREAS, Only twenty-five percent of our new teacher graduates are being hired each term; and

WHEREAS, The 1965 session of the legislature enacted a law that fixed certificated staff at full seniority when transferring between districts;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Committee on Education study the problem in the light of Senate Bill No. 2076 and draft legislation to restore interdistrict mobility and hiring of experienced staff.

## SENATE RESOLUTION 1973-137

By Senators Lewis (Harry) and Durkan:

WHEREAS, The forest land resources in this state are among the most valuable of the resources therein and the forest products industry of this state is of prime importance to its economy; and

WHEREAS, The Senate recognizes the critical importance to this state of the issue of continuation of log export trade with Japan and other countries and the potential adverse effect of any significant curtailment or outright ban on log exports; and

WHEREAS, Chapter 84.33 RCW and RCW 82.04.291 have created a system for taxation of timber and forest lands which recognizes the unique features of long term management of those resources and their importance to this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Forest Tax Committee established pursuant to RCW 84.33.180 is directed, in addition to its other responsibilities, to undertake a comprehensive review of the log export issue, including consideration of all economic, revenue, employment, fiscal and other matters relevant to such issue, and to prepare a report for submission to the 44th regular session of the legislature; and

BE IT FURTHER RESOLVED, That copies of this resolution upon final passage, be transmitted by the Secretary of the Senate to the Forest Tax Committee.

## MOTIONS

On motion of Senator Atwood, all Senate members were added as sponsors to Senate Resolution 1973-135.

On motion of Senator Walgren, the following resolution was unanimously adopted:

## SENATE RESOLUTION 1973-135

By Senators Walgren, Bailey, Twigg, Atwood, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Wanamaker, Washington, Whetzel, Woodall and Woody:

WHEREAS, Retirement will soon claim another valued member of the third house; and

WHEREAS, Floyd Jennings, lobbyist for the Association of Washington Cities, through long years of dedicated service has contributed immeasurably both to his association and to the legislative process of the state of Washington; and

WHEREAS, Floyd thoroughly understands the complexity of the problems facing the cities of this state and has unselfishly devoted himself to the solution of those problems; and

WHEREAS, Acting in concert with his long time colleague, Chester A. Biesen, he was able to accomplish the strengthening of the financial structure of our cities and give our cities increased administrative flexibility through the enactment and implementation of the Optional Municipal Code; and

WHEREAS, The members of the Legislature know and will remember Floyd not only as an effective lobbyist of the highest integrity, but also as a personal friend to Democrat and Republican alike;

NOW, THEREFORE, BE IT RESOLVED, That the Senate extends its most sincere appreciation for a job well done and wishes Floyd a most enjoyable and fulfilling retirement in the years which lie ahead.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted immediately by the Secretary of the Senate to Floyd Jennings.

## MOTION

On motion of Senator Mardesich, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has receded from its amendment on page 2, lines 9 through 12, to ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, and has passed the bill without the House amendment, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2800, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 29; nays, 15; absent or not voting, 5.

Voting yea: Senators Bailey, Canfield, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody—29.

Voting nay: Senators Atwood, Clarke, Jones, Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Rasmussen, Sellar, Twigg, Wanamaker, Whetzel, Woodall—15.

Absent or not voting: Senators Bottiger, Connor, Dore, Francis, Lewis (Harry)—5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was declared to be the title of the act.

## MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House recedes from its amendments to SUBSTITUTE SENATE BILL NO. 2854, to page 8, lines 31 and 33, and refuses to recede from the House amendments to page 25, line 13; page 37, lines 6 and 16, and asks the Senate to concur thereon, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Durkan, the Senate concurred in the House amendments to Substitute Senate Bill No. 2854.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2854, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 25; nays, 21; absent or not voting, 3.

Voting yea: Senators Bailey, Bottiger, Day, Donohue, Durkan, Fleming, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Sandison, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Greive, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Wanamaker, Whetzel, Woodall—21.

Absent or not voting: Senators Connor, Dore, Francis—3.

SUBSTITUTE SENATE BILL NO. 2854, 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 HOUSE

April 14, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2803, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF FREE CONFERENCE COMMITTEE

April 14, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2803, adopting a budget for the superintendent of public instruction, have had the same under consideration, and we recommend that the bill do pass as amended by the House committee amendment by the Committee on Ways and Means as amended by Representatives Randall, Hoggins and Kopet, with the following amendments to the committee amendment:

On page 5, section 2, beginning on line 14, strike all material down to and including "\$248,422,000" on line 21.

On page 6, section 2, after line 10 insert the following:

"General Fund Appropriation: To provide assurance that the budgeted funding level for the institutional education program for the 1973-74 school year shall maintain the current level of per pupil expenditure as was provided in the 1972-73 school year: PROVIDED, That the receipt of any federal funds in excess of \$1,387,488 for the

institutional education program for 1973-75 will result in an equal amount of this appropriation being reverted to the State General Fund: PROVIDED FURTHER, That the Superintendent of Public Instruction shall submit to the 1974 Legislature an institutional education budget request for the 1974-75 school year which shall be based on new data regarding enrollment projections, federal funding, and cost per pupil . . . . . \$603,972.

Signed by: Senators Odegaard and Donohue; Representatives Bagnariol, Shinpoch and Kopet.

MOTION

On motion of Senator Donohue, the report of the Free Conference Committee on Engrossed Senate Bill No. 2803 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2803, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 31; nays, 16; absent or not voting, 2.

Voting yea: Senators Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, Walgren, Washington, Woody-31.

Voting nay: Senators Atwood, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Sellar, Twigg, Wanamaker, Whetzel, Woodall-16.

Absent or not voting: Senators Dore, Francis-2.

ENGROSSED SENATE BILL NO. 2803, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Mardesich, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

April 14, 1973.

SUBSTITUTE HOUSE BILL NO. 498, adopting a supplemental budget for miscellaneous purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 8, section 2, add a new section as follows:

“NEW SECTION. Sec. 3. SECRETARY OF STATE SPECIAL APPROPRIATION.

General Fund Appropriation to the secretary of state to transmit, by mail with postage fully prepaid, one copy of Substitute Senate Bill No. 2247 as amended, to each individual place of residence in the state six weeks prior to the next general election and to make such additional distribution as deemed necessary: PROVIDED, That Engrossed House Joint Resolution No. 37, or a similar constitutional amendment,

is to be voted on by the people . . . . . \$110,000”.

Renumber the remaining section.

Signed by: Senators Durkan, Chairman; Donohue, Vice Chairman; Atwood, Bailey, Canfield, Fleming, Lewis (Harry), Mardesich, Newschwander, Ridder.

MOTIONS

On motion of Senator Durkan, Substitute House Bill No. 498 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, the committee amendment was adopted.

On motion of Senator Durkan, Substitute House Bill No. 498, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 498, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—45.

Voting nay: Senators Mattingly, Whetzel—2.

Absent or not voting: Senators Dore, Francis—2.

SUBSTITUTE HOUSE BILL NO. 498, 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 Senator Peterson (Lowell), Substitute House Bill No. 498, as amended by the Senate, was ordered immediately transmitted to the House.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1060, by Committee on Ways and Means (originally sponsored by Representatives Bagnariol, Randall, Sommers and Williams):

Limiting aggregate property tax levies to one percent of true and fair value.

The bill was read the second time by sections.

On motion of Senator Donohue, Substitute House Bill No. 1060 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Atwood: "Would Senator Donohue yield? Does this take a two-third's vote, Senator?"

Senator Donohue: "I understand no."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1060, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—46.

Absent or not voting: Senators Connor, Dore, Francis—3.

SUBSTITUTE HOUSE BILL NO. 1060, having received the constitutional 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. 1061, by Representatives Wojahn and Parker:

Amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions.

The bill was read the second time by sections.

On motion of Senator Mardesich, Engrossed House Bill No. 1061 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1061, and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent or not voting, 2.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hillebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—40.

Voting nay: Senators Guess, Matson, Mattingly, Newschwander, Sellar, Twigg, Woodall—7.

Absent or not voting: Senators Dore, Francis—2.

ENGROSSED HOUSE BILL NO. 1061, having received the 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 Senator Mardesich, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 134, by Senators Mardesich and Bailey: Providing for interim operations of the legislature.

#### MOTIONS

On motion of Senator Mardesich, Senate Concurrent Resolution No. 134 was advanced to second reading and read the second time in full.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 3, line 17, after “*may*” and before “*study*” insert “*only*”.

On motion of Senator Sandison, Engrossed Senate Concurrent Resolution No. 134 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 134, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue,

Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senator Greive—1.

Absent or not voting: Senators Connor, Dore, Durkan, Francis, Jones—5.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 134, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 957, by Representatives Bluechel, Williams, Randall and Zimmerman:

Extending the state land planning commission until June 30th, 1973.

#### REPORT OF STANDING COMMITTEE

April 13, 1973.

HOUSE BILL NO. 957, extending the state land planning commission until June 30th, 1973 (reported by Committee on State Government):

Recommendation: Do pass with the following amendment:

In section 1, line 9, after "on" and before "1973" strike "June 30," and insert "May 15,".

Signed by: Senators Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

The bill was read the second time by sections.

On motion of Senator Gardner, the committee amendment was adopted.

On motion of Senator Gardner, House Bill No. 957, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 957, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 5.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Fleming, Gardner, Grant, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—40.

Voting nay: Senators Donohue, Matson, Mattingly, Odegaard—4.

Absent or not voting: Senators Connor, Dore, Durkan, Francis, Jones—5.

HOUSE BILL NO. 957, 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 Senator Sandison, the following resolution was adopted:

#### SENATE RESOLUTION 1973-143

By Senators Bailey, Mardesich, Atwood and Lewis (Harry):

WHEREAS, The Extraordinary Session of the Forty-third Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the Extraordinary Session of the Forty-third Legislature and the convening of the next session;

NOW, THEREFORE, BE IT RESOLVED, That the Secretary of the Senate be, and he hereby is authorized and directed to complete the work of the session, to reply to and give necessary attention to correspondence and other details arising therefrom, and to accomplish such purpose that he be allowed additional compensation at his regular per diem rate therefor for not exceeding sixty days, as determined by the Senate Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the hiring of staff and the establishment of salaries during the interim period shall be the sole responsibility of the Senate Facilities and Operations Committee. Their action shall be subject to review by the Senate Committee on Resolutions; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn from funds provided therefor for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to have a copy of the Senate Journal of the Extraordinary Session of the Forty-third Legislature, together with a suitable index therefor, prepared by the State Printer, and that he, as salary for his work in compiling, editing and indexing the printed journal, be paid the sum of twelve hundred dollars, said amount to be paid from the Senate legislative appropriations, the State Treasurer being hereby authorized and directed to issue a warrant when the printer shall certify that the reading of the proof on the journal index has been completed and the same found to be correct; and

BE IT FURTHER RESOLVED, That after the close of the session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this Extraordinary Session of the Forty-third Legislature in closing the business of such session, in providing for the interim period between the closing of such session and the convening of the next session of the legislature and in the preparation for such convening; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to see that the Senate Chamber and adjoining rooms, furniture and equipment are clean and in good order, and for this purpose the Sergeant at Arms be allowed, after the closing of the session, for the completion of his work with the Extraordinary Session of the Forty-third Legislature for not exceeding thirty days, as determined by the Senate Facilities and Operations Committee, at his regular per diem rate therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate collect the keys to desks and rooms in and surrounding the Senate Chamber, committee rooms, work rooms, lounges, post office, bill room, storage rooms and the Sergeant at Arms' office, and all other rooms in and adjacent to the Senate Chamber, except the Lieutenant Governor's offices, together with the first floor of the legislative building at the east portion of said floor, and the fourth floor of the public lands building be placed in the custody, care and control of the Senate Facilities and Operations Committee and the Secretary of the Senate, and where any use of the Senate Chamber is granted requiring the attendance of the Secretary, that in addition to such salary as he may then be drawing he be allowed statutory expenses therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers in the event of a bereavement in a Senator's family; and

BE IT FURTHER RESOLVED, That the use of the Senate Chamber shall not be granted for other than legislative purposes; and

BE IT FURTHER RESOLVED, That such use of the Senate Chamber and rooms for a



Y.M.C.A. Youth Legislature and the Governor's Safety Conference is permitted upon such terms as the Secretary shall deem proper; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and he is hereby directed to draw his warrants for the payment of salaries, per diem, in lieu payments, and reimbursements of and to the members of the Senate, the elected officers of the Senate, and the retained employees each month upon vouchers signed by the members, officers or employees and approved by the President of the Senate or the President Pro Tempore of the Senate and by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto; and

BE IT FURTHER RESOLVED, That the President Pro Tempore of the Senate, the Vice President Pro Tempore of the Senate, the present and past Senate majority floor leaders, the present and past Senate minority floor leaders, the assistant Senate minority floor leaders, the majority and minority whips, and majority and minority caucus chairmen and caucus vice chairmen and secretaries, are each authorized to attend the annual meetings of the National Conference of State Legislative Leaders, and to receive therefor their actual necessary expenses, and such per diem as may be authorized by law, to be paid upon their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That all accounts payable incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses of the Extraordinary Session of the Forty-third Legislature of the state of Washington and which are presented for payment after adjournment of the Extraordinary Session of the Forty-third Legislature, before payment is authorized, must bear the approval of the President or President Pro Tempore of the Senate and the Secretary of the Senate; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he is hereby authorized and directed to attend the session of the National Legislative Conference of the Council of State Governments, and while in attendance upon such conference he shall be allowed compensation at his regular per diem rate together with actual expenses, to be paid on his voucher out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That upon a call for a special session the Secretary of the Senate be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding thirty in number, as determined by the Senate Facilities and Operations Committee, as intervene between the Governor's proclamation summoning the special session and the opening day thereof, excluding mini-sessions; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is authorized and directed, during not more than sixty days, as determined by the Senate Facilities and Operations Committee, prior to the opening of regular sessions, to hire necessary employees, to prepare the work room and committee rooms, members' offices for occupancy and use in sufficient time to make them available, helpful and beneficial to the members, and to procure in connection therewith sufficient supplies and an adequate number of Reed's Parliamentary Rules and legislative manuals, to enable the Senate to commence its work as promptly as possible, and for such purposes that he be allowed compensation at his regular per diem rate therefor; and

BE IT FURTHER RESOLVED, That upon call for a special session, for necessary work in preparation for the opening of such session, the Sergeant at Arms be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding fifteen in number, as determined by the Senate Facilities and Operations Committee, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and he hereby is, directed to draw his warrants for the payment of salaries and/or per diem of the Secretary of the Senate, of the Sergeant at Arms and of necessary employees each month upon vouchers signed by the President of the Senate or the President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto.

There being no objection, the Senate returned to the fifth order of business.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 135, by Senators Mardesich and Bailey:  
Authorizing transfer of interim committee funds.

## MOTIONS

On motion of Senator Sandison, Senate Concurrent Resolution No. 135 was advanced to second reading and read the second time in full.

Senator Sandison moved adoption of the following amendment by Senators Gardner and Sandison:

On page 1, line 6, after "for" insert "the purpose of paying the outstanding obligations and debts of such discontinued committees, for paying costs of transfer and moving of materials and equipment of such discontinued committees and for".

## POINT OF INQUIRY

Senator Atwood: "Would Senator Sandison yield? Senator Sandison, the resolution does not state what interim committees—what statutory committees have not been funded or discontinued. I am not too sure whether you are going to have some committees that still have money and you are going to be taking away money. Now I am not sure about the Nuclear Energy Committee and the Forest Tax Committee and some of those. I am not sure what you are going to do to some of those committees that have civilians on them. They are not exactly legislative interim committees. They are statutory committees but there is no differentiation here."

Senator Sandison: "That was not the intent but it speaks of legislative interim committees discontinued by the Forty-third Legislative Session. We did not discontinue those committees."

Senator Atwood: "We have not discontinued any per se."

Senator Sandison: "No, except on the matter of appropriations."

Senator Atwood: "What committees would this include?"

Senator Sandison: "This would include the non-statutory committees."

Senator Atwood: "Like Banking and Insurance and those types?"

Senator Sandison: "That is my understanding."

Senator Atwood: "The committees that were created by concurrent jurisdiction or by concurrent resolution?"

Senator Sandison: "Right."

## POINT OF INQUIRY

Senator Murray: "Would Senator Sandison yield to a question? Where does this leave the Legislative Council, which is a statutory committee?"

Senator Sandison: "As I understand that, the Legislative Council is funded until June 30."

Senator Murray: "This would not supersede then the statute that set up the Legislative Council?"

Senator Sandison: "No, it would not."

## POINT OF INQUIRY

Senator Lewis (Harry): "Senator Sandison, could you explain to me how the staff of the Legislative Council will be paid or vouchered between now and June 30?"

Senator Sandison: "The staff of the Legislative Council will be paid as it is now. It runs until June 30."

Senator Lewis (Harry): "But Senator Sandison, there is no Council Chairman as of the end of this session at sine die to authorize the payment of vouchers for the Legislative Council staff and even though the money may be there, there is no one able to sign the vouchers and I am concerned and wonder what the intent is and how this . . . ."

Senator Sandison: "Senator Lewis, that is a separate problem. All we are speaking to now is the problem of those that are discontinued in dispersing what assets they would have left and what appropriations they would have left."

Senator Lewis (Harry): "I understand that but whether or not it should be included here—do you have plans to solve this problem with another resolution before we sine die tonight?"

Senator Sandison: "No other resolution that I know of unless someone else is offering one."

#### MOTION

On motion of Senator Mardesich, Senate Concurrent Resolution No. 135, together with the pending amendment by Senators Sandison and Gardner, was ordered held for consideration later tonight.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Mardesich moved that the Senate do now reconsider the vote by which Engrossed Senate Concurrent Resolution No. 134 passed the Senate.

The motion for reconsideration carried.

#### MOTIONS

On motion of Senator Mardesich, Engrossed Senate Concurrent Resolution No. 134 was returned to second reading.

Senator Mardesich moved adoption of the following amendment:

On page 5, line 8 add another paragraph as follows:

*"The special legislative interim committees of the senate and of the house of representatives shall have the powers of subpoena, the power to administer oaths and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW if and when specifically authorized by the special legislative interim committee on rules of the respective house for specific purposes and for specific subjects in accordance with the authorization of the committee on rules."*

#### POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Mardesich yield? Senator Mardesich, the amendment referred to interim committees. Is the word 'interim committee', interpreted to be the standing committees that will be . . ."

Senator Mardesich: "That is correct. We have named in one of our concurrent resolutions the interim committees—the standing committees as the interim committees."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Mardesich, Reengrossed Senate Concurrent Resolution No. 134 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Concurrent Resolution No. 134, and the resolution passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Grant, Guess, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—40.

Voting nay: Senators Greive, Scott—2.

Absent or not voting: Senators Dore, Durkan, Francis, Henry, Jones, Talley, Woody—7.

REENGROSSED SENATE CONCURRENT RESOLUTION NO. 134, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Mardesich, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House again refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, and asks the Senate to recede therefrom.

DONALD R. WILSON, Assistant Chief Clerk.

#### POINT OF INFORMATION

Senator Twigg: "On the desk is Engrossed Substitute House Bill No. 711, which is the gambling bill. The question is, Mr. President, what motion or motions under our rules, if any, are necessary to place this bill in a posture where it can be amended?"

#### REMARKS BY SENATOR GREIVE

Senator Greive: "Mr. President, I respectfully call your attention to Reed's Rule number 247, motions relating to agreement or disagreement between the houses. I would suggest that the only motions available at this state of the proceedings are from the rule to concur, to nonconcur, to recede, to insist, or to adhere and respectfully point out that it would seem rather clear that there is nothing that need be done but one of those motions."

#### REMARKS BY SENATOR TWIGG

Senator Twigg: "Mr. President and members of the Senate, if I might explain briefly what we are seeking to do, as I mentioned this is the gambling bill. House Bill No. 711, as you will recall, came over here and we hung Senate Bill No. 2145 on it and sent it back to the House. They refused to concur, sent it back here, the Senate insisted that we leave it as was, the House again refused to concur and that is the posture it is in at this moment. In the meantime Representative Kuehnle, who has studied this area for a number of years, and I believe we all agree is well informed on it, met with our caucus attorney, Mr. Gross, who also has a great deal of expertise in this area, and they have drafted several amendments which I am given to understand if we can legally place on the bill in its present form, it will probably return to the House and be passed and we will leave here with some kind of a gambling bill of a quite conservative nature. It is kind of a last ditch stand. If we want to get out of here with some kind of a gambling bill, I think this is our last opportunity to do so. If you prefer not to, that of course is your judgment. I confine my personal gambling to the golf course with Senator Atwood and in Nevada."

#### REPLY BY THE PRESIDENT

The President: "Senator Twigg, the President wishes to remark that you have presented a very interesting situation. The President believes that inasmuch as the measure is in the possession of the Senate and that there are no particular rules within the Joint Rules which cover this situation that if a majority of the members wish us to do so that it would be possible to reconsider the vote by which the measure was passed, then reconsider the vote

by which the Senator Francis amendment was adopted and then if the majority so desires, you could add your amendment to the Senator Francis amendment and then re-pass the measure."

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Twigg moved that the Senate do now reconsider the vote by which Engrossed Substitute House Bill No. 711 passed the Senate.

The motion for reconsideration carried on a rising vote.

#### MOTIONS

On motion of Senator Twigg, Engrossed Substitute House Bill No. 711 was returned to second reading.

On motion of Senator Bailey, further consideration of Engrossed Substitute House Bill No. 711 was ordered held temporarily.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGES FROM THE HOUSE

April 14, 1973.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 340, and passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2352,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2554,

SUBSTITUTE SENATE BILL NO. 2586, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2096,

SENATE BILL NO. 2382,

SENATE BILL NO. 2452,

SENATE BILL NO. 2504,

SUBSTITUTE SENATE BILL NO. 2736.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, with the following amendments:

On page 4, section 1, after "(d) recreation;" on line 20 of both the printed and engrossed bills insert: "and a reevaluation of the criteria for selection of specific projects for priority of construction within each functional class;"

On page 4, section 1, line 2 of both the printed and engrossed bills, after "2434" insert "and house bill 289".

On page 4, section 1, following line 23 of both the printed and engrossed bills, insert the following:

"(31) Alternative courses of action to reduce and control air pollution resulting from transportation sources, an analysis of their relative effectiveness and cost, and assessment of their relative acceptability by the public;

(32) Alternative courses of action to reduce and control noise pollution resulting from transportation sources, an analysis of their relative effectiveness and cost, and assessment of their relative acceptability by the public;

(33) Desirability and feasibility of establishing a transportation research center taking into consideration costs and benefits, such centers in other states, and state and federal funding sources;

(34) An analysis of the transportation planning process used by cities and counties, including the effects of state requirements thereon, and the adequacy of local planning procedures in meeting the objectives of state planning requirements;

(35) A feasibility study of providing water transportation for commuter foot passengers within the Lake Washington-Lake Union area, including the provision of appropriate terminal facilities and coordination with land transportation facilities;

(36) Evaluation of state highway landscaping practices with respect to safety and beautification purposes.

*NEW SECTION.* Sec. 2. There is added to chapter 3, Laws of 1963 ex. sess. and chapter 44.40 RCW a new section to read as follows:

Powers and duties enumerated by this chapter shall be delegated to the senate and house transportation and utilities committees during periods when the legislative transportation committee is not appointed."

Renumber the remaining sections.

On page 4, section 2, line 24, of both the printed and engrossed bills, after "added to" insert "chapter 3, Laws of 1963 ex. sess. and".

On page 5, section 3, beginning with "The" on line 6 of both the printed and engrossed bills, strike all of the material down to and including "or" on line 7 and insert "The senate and house transportation and utilities committees".

On page 5, section 3, line 19 of both the printed and engrossed bills, after "The" strike "committee and/or committees is or" and insert "committees".

On page 5, section 3, beginning on line 25 of both the printed and engrossed bills, strike the remainder of the section and insert "There is hereby appropriated from the motor vehicle fund the sum of five hundred thousand dollars or so much thereof as may be necessary to conduct the study. The committees are directed to seek federal participation and are authorized to receive federal funds for said purpose."

On page 6, beginning on line 16 of the engrossed bill, being line 20 of the printed bill, insert new sections as follows:

*"NEW SECTION.* Sec. 6. The legislative transportation committee or the standing transportation and utilities committees of the senate and house are hereby authorized to make available \$20,000 or so much thereof as may be necessary to the western conference of the council of state governments. Such funds will be made available for use by its subcommittee on short haul air transportation only in the event that the subcommittee is continued by at least seven participating states and that it is evident that federal funds have been secured through the department of transportation for continuation of the short haul air transportation study under the auspices of the western conference of the council of state governments. In the event that the said conference obtains sufficient state and federal funds for continuation of the short haul air transportation study, the state of Washington will be the administrator of the funds for the participating states according to the procedures prescribed by the office of the attorney general.

There is hereby appropriated from the aeronautics account of the general fund the sum of \$20,000 to carry out the provisions of this section.

*NEW SECTION.* Sec. 7. The department of highways, in cooperation with the legislative transportation committee and/or the senate and house transportation and utilities committees, is directed to communicate with all appropriate state agencies and other governmental officials concerning the development of a quad-city airport to serve the cities of Pullman and Clarkston, Washington, and Lewiston and Moscow, Idaho, and to determine the effect such development may have on the priority for construction of SR 193 from Clarkston to Colton.

*NEW SECTION.* Sec. 8. The legislative transportation committee and/or the senate and house transportation and utilities committees, in conjunction with the department of

highways, are authorized to consult with the transportation agencies of the states, counties and cities affected, as well as the Columbia Region Association of Governments, and private transportation companies, with respect to the interstate transportation needs of the Vancouver/Portland area and alternative solutions thereto. The committee(s) are further authorized to apply for and receive federal funding and support of said study, and to negotiate with affected governmental units to obtain such matching funds as may be required."

Renumber the remaining section., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Walgren, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 2748.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 2748, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Donohue, Fleming, Gardner, Greive, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody--40.

Voting nay: Senators Atwood, Scott--2.

Absent or not voting: Senators Bottiger, Day, Dore, Durkan, Francis, Grant, Peterson (Ted)--7.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 22, by Representatives Kraabel, O'Brien, Bluechel and Barden:

Amending the Constitution to permit tax increment financing of urban development. The resolution was read the second time in full.

On motion of Senator Peterson (Ted), House Joint Resolution No. 22 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen: "Will Senator Peterson yield to a question? Senator Peterson, where are you getting this tax money from?"

Senator Peterson (Ted): "Just from the increment increase in the ad valorem taxes that are collected, Senator."

Senator Rasmussen: "I do not see that."

Senator Peterson (Ted): "It is in the bill, Senator."

Senator Rasmussen: "Can you point out the line? That is House Joint Resolution No. 20 that you are speaking of?"

Senator Peterson (Ted): "Twenty-two. It is in there, Senator."

Senator Ridder: "In answer to Senator Rasmussen, it says 'may be divided so the taxes levied against any increase in the true and fair value as defined by the law which may be

reasonably construed to have arisen from an associated project or property' and it goes on and that is what is used. So any incremental increase."

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Resolution No. 22, and the resolution passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Greive, Guess, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—42.

Voting nay: Senators Clarke, Jones, Newschwander, Rasmussen—4.

Absent or not voting: Senators Dore, Francis, Henry—3.

HOUSE JOINT RESOLUTION NO. 22, having received the constitutional two-thirds majority, was declared passed.

There being no objection, at 1:30 a.m., the Senate was declared to be at ease.

The President called the Senate to order at 1:50 a.m.

There being no objection, the Senate returned to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 136, by Senators Bailey, Mardesich, Atwood and Lewis (Harry):

Extending SINE DIE.

#### MOTIONS

On motion of Senator Atwood, Senate Concurrent Resolution No. 136 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, Senate Concurrent Resolution No. 136 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

On motion of Senator Atwood, Senate Concurrent Resolution No. 136 was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 14, 1973.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, with the following amendments:

Strike all of the House committee amendment, and on page 1, line 3 of the Resolution after "THAT," insert "At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, the following amendment to Article II, section 12 of the Constitution of the State of Washington, to read as follows:

Article II, section 12. [The first legislature shall meet on the first Wednesday after the first Monday in November, A.D., 1889. The second legislature shall meet on the first Wednesday after the first Monday in January, A.D., 1891, and sessions of the legislature shall be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days.] (1) *Regular Sessions. A regular session of the legislature shall be convened each year on such day and at such time as the*



legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than ninety consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) *Interim Regular Sessions.* The Legislature may provide for interim regular sessions to be convened between regular sessions at such time and on such days as the legislature shall determine. The total number of days of the interim regular session shall not exceed nine days during any period of three consecutive months.

(3) *Special Legislative Sessions.* Special legislative sessions may be convened for a period of not more than thirty consecutive days by proclamation of the governor pursuant to Article III, section 7 of this Constitution or may be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote of two-thirds of all the members elected or appointed to each house of the legislature, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. Such resolution shall specify a purpose or purposes for the convening of a special session, and any special session convened by such resolution shall consider only measures germane to the purpose or purposes expressed therein, unless by resolution adopted during such session by a two-thirds vote of the members of each house an additional purpose or purposes be expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

The first regular session of the legislature to be held pursuant to this amendment shall commence on the second Monday of January in the year following the approval by the voters of this amendment.

(4) *Committees of the Legislature.* Standing or special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Joint Resolution No. 105 and asks the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Joint Resolution No. 105 and the House amendments thereto: Senators Grant, Lewis (Harry) and Donohue.

#### MOTION

On motion of Senator Mardesich, the Conference Committee appointments were confirmed.

#### SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2309,  
SUBSTITUTE SENATE BILL NO. 2717,  
SENATE BILL NO. 2805,  
SUBSTITUTE SENATE BILL NO. 2897.

There being no objection, at 1:55 a.m., the Senate was declared to be at ease.  
The President called the Senate to order at 2:10 a.m.

#### MOTION

At 2:10 a.m., on motion of Senator Mardesich, the Senate adjourned until 4:00 p.m., Sunday, April 15, 1973.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

### THIRTY-EIGHTH DAY

#### AFTERNOON SESSION

Senate Chamber, Olympia, Wash., Sunday, April 15, 1973.

The Senate was called to order at 4:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Francis, Gardner, Greive and Lewis (Harry).

The Color Guard, consisting of Pages Carl Erickson and Rachel Langdon, presented the Colors. Doctor Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered the following prayer:

"ALMIGHTY GOD, OUR HEAVENLY FATHER, WHO FROM YOUR THRONE BEHOLDEST ALL THE DWELLERS UPON THE EARTH, WE ASK YOU TO BEHOLD, BLESS AND GUIDE THE MEMBERS OF THIS SENATE OF THE STATE OF WASHINGTON. BY YOUR GOOD SPIRIT, LEAD THEM INTO THE WAYS OF JUSTICE AND TRUTH AND HELP THEM TO REMEMBER THE TRUST AND RESPONSIBILITY GIVEN THEM BY THE PEOPLE OF THIS STATE.

"ON THIS PALM SUNDAY, WE REMEMBER HOW EASY IT IS TO GIVE LIP SERVICE TO DECENCY AND RIGHTEOUSNESS, AND IN ONE'S HEART TO BE SELFISH AND GRASPING, FORGETTING THE THINGS THAT PERTAIN TO YOUR WILL FOR MANKIND. BROADEN THE VISION OF THESE SENATORS, OUR FATHER, THAT THEY MAY SEE THE IMPLICATIONS OF THEIR ACTS BEFORE TAKING THEM, THAT THEY MAY PERCEIVE THE WISDOM OR WEAKNESS OF

PROPOSED LEGISLATION BEFORE VOTING UPON IT, AND THAT THEY MAY SUFFICIENTLY USE RESTRAINT TO PREVENT MAKING ERRORS IN JUDGMENT WHICH WILL WORK ADVERSELY FOR THE PEOPLE OF OUR STATE. GLORY BE TO YOU, O LORD. HEAR OUR PRAYER, AND IN YOUR MERCY BLESS AND PRESERVE THE MEMBERS OF THIS SENATE. THROUGH JESUS CHRIST OUR LORD. AMEN.”

## MOTION

On motion of Senator Mardesich, the reading of the journal of the previous day was dispensed with and it was approved.

## MESSAGE FROM THE GOVERNOR

April 14, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 14, 1973, Governor Evans approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 2227: Increasing the number of superior court judges in certain counties.

SENATE BILL NO. 2312: Establishing maximum rates to be paid for public printing and legal notices.

SENATE BILL NO. 2840: Providing for reciprocal agreements with bordering states relating to the employment of workmen on public projects.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

## MESSAGES FROM THE HOUSE

April 14, 1973.

Mr. President: The Speaker has signed HOUSE BILL NO. 766, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 418,

HOUSE BILL NO. 621,

SUBSTITUTE HOUSE BILL NO. 1005, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE JOINT RESOLUTION NO. 37, and has passed the bill as amended by the Senate, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 16, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2256,

SENATE BILL NO. 2294,

SENATE BILL NO. 2319,

SENATE BILL NO. 2435,

SUBSTITUTE SENATE BILL NO. 2531,  
 SUBSTITUTE SENATE BILL NO. 2589,  
 SENATE BILL NO. 2643,  
 SUBSTITUTE SENATE BILL NO. 2740,  
 SUBSTITUTE SENATE BILL NO. 2813, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:  
 SUBSTITUTE HOUSE BILL NO. 410,  
 HOUSE BILL NO. 476,  
 HOUSE BILL NO. 604,  
 HOUSE BILL NO. 638,  
 HOUSE BILL NO. 704, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 2739, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2045, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 136, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The House has passed SENATE BILL NO. 2459, notwithstanding the Governor's partial veto, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 14, 1973.

Mr. President: The House concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 419, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

#### SIGNED BY THE PRESIDENT

The President signed:  
 SUBSTITUTE HOUSE BILL NO. 410,  
 HOUSE BILL NO. 476,  
 HOUSE BILL NO. 604,  
 HOUSE BILL NO. 638,  
 HOUSE BILL NO. 704.

#### MOTIONS

Senator Peterson (Lowell) moved that the Senate immediately consider Engrossed Substitute House Bill No. 711 on second reading.

Senator Twigg moved that the Senate hold consideration of Engrossed Substitute House Bill No. 711 for two hours.

## POINT OF INQUIRY

Senator Twigg: "Will Senator Mardesich yield? Could you give us a time projection, Senator? In your best judgment will we still be here at six-thirty or seven?"

Senator Mardesich: "I assume so if we continue to act on the calendar and drag out the session until we finish all concurrences if there are amendments on bills. Now I have not checked the House calendar but I do understand they still have about ten or fifteen bills on the calendar they are running over there. That is, however, if it is a concurrence calendar, fairly simple. I mean an agreed calendar. So assuming all that is done, the two workrooms are pretty well up to date. We could be out of here by eight o'clock, I would think quite readily, with no strain or pain provided we do not persist in passing bills."

Debate ensued.

## POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Mardesich yield? Senator Mardesich, I interpret the inquiry by Senator Twigg that we will be able to consider this measure at a later time today prior to adjournment?"

Senator Mardesich: "That is correct."

## MOTION

On motion of Senator Rasmussen, Engrossed Substitute House Bill No. 711 was made a special order of business for 6:30 p.m. this evening.

There being no objection, the Senate returned to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 445, by Committee on Social and Health Services (originally sponsored by Representatives Adams, Paris, McCormick, Wojahn, Conner, Gallagher, Bagnariol, Smythe, Douthwaite, Swayze, Charette, Goltz, Eng, Ceccarelli, Johnson, Lysen, Jastad, Freeman and Parker):

Prohibiting discrimination based on the presence of any sensory, mental, or physical handicap.

The bill was read the second time by sections.

On motion of Senator Atwood, the following amendment was adopted:

On page 3, section 3, line 19, after "chapter" insert "*related to sex discrimination*".

The following amendment on the Secretary's desk was withdrawn by Senator Day:

On page 7, following section 8, add a new section to read as follows:

"*NEW SECTION.* Sec. 9. There is added to chapter 51.32 RCW a new section to read as follows:

If the injury or disease of a workman is caused, in whole or in part, by a "handicap" as defined in RCW 49.60.040, then the workman, or his family or dependents in case of death, shall not receive compensation from any fund or self-insurance program, existing or created under this title which is supported in whole or in part by employer premiums or contributions, but shall, in lieu thereof, receive the same measure of compensation as is otherwise provided in this chapter, which compensation shall be paid solely from a fund to be known as the "Handicapped Fund" which shall be administered by the director in accordance with this title and shall consist of moneys appropriated for this purpose by the legislature."

## POINT OF INQUIRY

Senator Mardesich: "Would Senator Day submit to a question? Senator Day, you have indicated that you do not intend to adopt the next amendment which you have offered. It relates to the question of benefits in the event the injury received during the course of employment is a result of the handicap that the person has and provides that the payment for such benefits shall come from the general fund rather than a tax on the employer."

Senator Day: "In answer to your question, Senator . . ."

Senator Mardesich: "I have not asked it yet. I was merely stating what the section does. My question is, why not, in view of the fact that the argument presented to us was that this would be a benefit to the state in removing these people from being in the position of having to be supported by the state, why should not we now fund this from the general fund rather than impose it as a tax upon the employer?"

Senator Day: "The reason I withdrew the amendment and it was printed up last night and I went up and took a look at them this morning and took that out and found out they were already out on the desks, is that in reading the language in both the amendments that we have adopted this morning and in addition, reading the language in section 6, subsection (1) line 14, it provides there very clearly that the prohibition against discrimination because of such handicap shall not apply if the particular disability prevents the proper performance of the particular worker involved. Now it does not say the proper performance of a specific job. It says the proper performance of the particular worker involved. And I think that where we have provided for medical and psychiatric examination in the case of not hiring, and I think that they could institute that requirement in almost any instance and the proviso here that exempts the employer from, as far as reasonable restrictions and participation in life insurance, medical or disability benefits programs, that I think we have fairly well covered the waterfront and I doubt seriously if we are going to get into any great additional necessity of indemnification on the part of the workman relative to injuries on the job. That is the reason I withdrew it."

Senator Day moved adoption of the following amendment:

On page 5, section 6, line 31, after "sexes" and before the period insert "*PROVIDED, FURTHER, That it shall not be an unfair practice for an employer to reasonably exclude or restrict participation of handicapped employees from, or reasonably restrict their participation in, life insurance, medical or disability benefits programs*".

#### POINT OF INQUIRY

Senator Fleming: "Senator Day, would you yield? Not to a question, but I would like for you to make another explanation of your amendment."

Senator Day: "I will. What this amendment would do is allow an employer in a case of a person who has some handicap with which he could do a specific job but in addition has a physical condition which maybe does not restrict the participation in the job but would definitely require a great rating in an insurance policy, and what this will allow is the reasonable restriction relative to the participation in some group policy that the company which employs this person has. In other words, they have a big group policy which covers all their employees and they are allowed reasonable restrictions relative to the participation in those disability contracts and I think this is reasonable."

The motion by Senator Day carried and the amendment was adopted.

Senator Day moved adoption of the following amendment:

On page 6, line 9, insert the following:

"Sec. 7. Section 15, chapter 270, Laws of 1955 as amended by section 16, chapter 37, Laws of 1957 and RCW 49.60.230 are each amended to read as follows:

Who may file a complaint:

(1) Any person claiming to be aggrieved by an alleged unfair practice may, by himself or his attorney, make, sign, and file with the board a complaint in writing under oath. The complaint shall state the name and address of the person alleged to have committed the unfair practice and the particulars thereof, and contain such other information as may be required by the board.

(2) Whenever it has reason to believe that any person has been engaged or is engaging in an unfair practice, the board may issue a complaint.

(3) Any employer or principal whose employees, or agents, or any of them, refuse or threaten to refuse to comply with the provisions of this chapter may file with the board a written complaint under oath asking for assistance by conciliation or other remedial action.

Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination: *PROVIDED FURTHER, Any person filing a complaint of*

*an alleged unfair labor practice based upon a handicap shall, if requested by the commission or one of its duly authorized employees, submit himself for medical and/or psychiatric examination before further action on the complaint is taken by the commission."*

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Durkan: "Would Senator Day yield? The underlined material, is the one where it says, 'Provided further any person filing a complaint?'"

Senator Day: "Yes, Senator."

Senator Durkan: "You say that he has to submit himself for medical and/or psychiatric examination. Who is he going to submit himself to? To what, his doctor, whose doctor is going to make that examination?"

Senator Day: "Of course, the only provision here would be that it would have to be a licensed physician or a licensed psychiatrist."

Senator Durkan: "The important part is that if it is to his own doctor that might be fine, but what if it is to the employer's?"

Senator Day: "We are dealing here, Senator, with a board against discrimination and I would imagine that they would provide the avenue in order that such an examination is necessary, and it says that it has to do with the filing of a complaint and the way I read that was that the board that he filed the complaint with then, before they could say that it was unfair labor practice, could order such examination. I might be incorrect in my interpretation, but I think that is my intent."

On motion of Senator Day, the following amendment to the amendment was adopted:

In the underscored material in the Day amendment, after "*examination*" and before "*before*" insert "*as provided by the commission*".

Debate ensued.

The motion by Senator Day carried and the amendment, as amended, was adopted.

On motion of Senator Day, the following amendment to the title was adopted:

On line 7 of the title, after "49.60.030;" and before "amending" insert "amending section 15, chapter 270, Laws of 1955 as amended by section 16, chapter 37, Laws of 1957 and RCW 49.60.230;"

On motion of Senator Day, Substitute House Bill No. 445, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 445, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Voting yea: Senators Atwood, Bailey, Clarke, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody-41.

Voting nay: Senators Twigg, Woodall-2.

Absent or not voting: Senators Bottiger, Canfield, Dore, Francis, Greive, Mardesich-6.

SUBSTITUTE HOUSE BILL NO. 445, 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 Senator Keefe, Substitute House Bill No. 445, as amended by the Senate, was ordered immediately transmitted to the House.

There being no objection, Senators Dore, Francis and Greive were excused.

## SECOND READING

ENGROSSED HOUSE BILL NO. 349, by Representatives Gallagher, Parker, Juelling, Erickson, Kelley and Gaspard:

Regulating commercially licensed troll vessels.

The bill was read the second time by sections.

Senator Peterson (Ted) moved adoption of the following amendment:

On page 2 of the printed bill, on line 6 insert the following new section:

"Sec. 6. Section 6, chapter 309, Laws of 1959 as last amended by section 6, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.087 are each amended to read as follows:

Every owner of a commercial fishing vessel shall obtain an annual commercial fishing license, not otherwise provided for in this chapter, for the taking of food fish and shellfish within the state of Washington: PROVIDED, That holders of commercial salmon fishing licenses as set forth in this chapter may retain incidentally caught food fish other than salmon, and: PROVIDED, FURTHER, That licensed oyster and clam farmers are not subject to this section. The fees for commercial fishing licenses required in this section shall be in the amounts set forth in this chapter prescribed by the type gear employed in the taking of food fish and shellfish.

*On and after the effective date of this section, if a person is to be licensed under this section and such person operates a vessel described in section 1 of this 1973 amendatory act he must prove to the department that he landed salmon having a value in excess of five times the cost of a license issued pursuant to this section for the period January 1, 1972 through April 15, 1973 as documented by a Washington department of fisheries landing ticket or tickets for such salmon."*

Renumber the remaining sections consecutively.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Peterson yield to a question? Senator Peterson, can you tell me if this is a requirement on the regular commercial license?"

Senator Peterson (Ted): "All commercial boats that have any catches at all come into the dock and pay their landing fees, Senator, so there is not any problem there."

Senator Rasmussen: "Does the requirement that they be five times the amount of the license?"

Senator Peterson (Ted): "No, they have much more than that, Senator. You do not have to qualify, or put a qualification like that in on the larger catch or a larger boat because they bring in that much more in fish or they would not be out there, they could not afford to, with a crew."

Senator Rasmussen: "Thank you, Senator Peterson."

Debate ensued.

## POINT OF INQUIRY

Senator Clarke: "Will Senator Peterson (Ted) yield to a question? What happens in the future? What if somebody wants to come into the business? Does this restrict licenses exclusively to those who have already been in the business so they can have participated in this fishing? It seems to me that it completely forecloses anyone entering the business in the future."

Senator Peterson (Ted): "No, it does not, Senator."

Senator Clarke: "How then, let us assume that after this particular period I want to buy myself a boat and enter the business, how do I get licensed?"



Senator Peterson (Ted): "Just purchase your license before April 15 and you are in business."

Senator Clarke: "That is not the way I read this."

Senator Peterson (Ted): "That is right, though."

Senator Peterson (Lowell): "To clear the intent, Senator Clarke, and it is wise that you brought up the question but it was not the legislative intent to be built into this amendment that it would just grandfather in everybody that is in and not allow anybody else to come in, and I can assure you and for the record, this is not the intent of this amendment and if we have to in the future clarify it further, it should be noted. But it is certainly not the intent."

#### MOTION

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 349, together with the pending amendment by Senator Peterson (Ted), was made a special order of business immediately following recess this evening.

#### SECOND READING

HOUSE BILL NO. 847, by Representatives Paris and Kalich:

Repealing certain limitations on county legal aid programs.

The bill was read the second time by sections.

On motion of Senator Talley, House Bill No. 847 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Bailey: "Will Senator Talley yield? Who pays the bill, Senator?"

Senator Talley: "The county does. It is local option."

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 847, and the bill passed the Senate by the following vote: Yeas, 35; nays, 11; excused, 3.

Voting yea: Senators Bailey, Canfield, Connor, Day, Durkan, Fleming, Gardner, Grant, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—35.

Voting nay: Senators Atwood, Bottiger, Clarke, Donohue, Guess, Lewis (Harry), Matson, Mattingly, Newschwander, Twigg, Woodall—11.

Excused: Senators Dore, Francis, Greive—3.

HOUSE BILL NO. 847, having received the constitutional 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. 1007, by Representatives Kilbury, Amen, Haussler, Benitz, Hayner, Van Dyk, Moon, Fortson, Laughlin, Tilly, Clemente, Hurley, Randall, Luders, Knowles and Goltz:

Appropriating funds for grasshopper control.

The bill was read the second time by sections.

On motion of Senator Jolly, Engrossed House Bill No. 1007 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1007, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Bottiger, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—43.

Voting nay: Senators Matson, Mattingly—2.

Absent or not voting: Senator Connor—1.

Excused: Senators Dore, Francis, Greive—3.

ENGROSSED HOUSE BILL NO. 1007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 135, by Senators Mardesich and Bailey: Authorizing transfer of interim committee funds.

The Senate resumed consideration of Senate Concurrent Resolution No. 135, and the following amendment by Senators Sandison and Gardner, moved for adoption on Saturday, April 14, 1973:

On page 1, line 8, after "for" insert "the purpose of paying the outstanding obligations and debts of such discontinued committees, for paying costs of transfer and moving of materials and equipment of such discontinued committees and for".

The motion by Senator Sandison carried and the amendment was adopted.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 1, line 15, after the period add "The speaker of the house and the president pro tempore of the senate shall act as chairman and secretary and shall be authorized to sign vouchers through June 30, 1973 for the payment of expenses in accordance with RCW 44.24.060, 44.33.280 and 44.30.050."

## POINT OF INQUIRY

Senator Woodall: "Would Senator Lewis yield? Have you thought of the possibility, regrettable though it might be, that either the Speaker or the President Pro Tempore could be disabled, incapacitated or even possibly deceased? It would seem to me that you should add in there, in the disability or absence or something of the Speaker, the Speaker Pro Tempore could act, and—I do not have the language organized but it seems to me you should—I am an old navy man, you always figure the second line of defense, and if something happens and it does not go quite like you want, we should have alternative people in both positions. Now the Speaker Pro Tempore is the logical one there. Would it be the Vice President Pro Tempore, the Lieutenant Governor or whomever you wanted to add, but I think we should have alternates in both positions."

On motion of Senator Mardesich, the following amendment to the amendment by Senator Lewis (Harry) was adopted:

In the Lewis amendment, after "Speaker" and before "of" insert "or Speaker Pro Tem" and after "the" and before "President" insert "President or"

The motion by Senator Lewis (Harry) carried and the amendment, as amended, was adopted.

On motion of Senator Mardesich, Engrossed Senate Concurrent Resolution No. 135 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 135, and the resolution passed the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Durkan, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senators Bottiger, Fleming—2.

Excused: Senators Dore, Francis, Greive—3.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 135, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 962, by Representatives Ehlers, Savage, Wojahn and May:

Revising the law relating to industrial welfare.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 6, line 27, new section 12, after "minors," and before "except" insert "wherever such employment circumstances are suspected to be substandard or otherwise unsatisfactory".

On page 7, section 13, line 22, after "act" and before "Thereafter" delete the period and insert ": PROVIDED, That the director shall closely monitor the activities of the Industrial Welfare Committee and prevent any duplication of functions authorized by other federal or state laws now or hereafter regulating any condition of employment covered by this act."

On motion of Senator Mardesich, Engrossed House Bill No. 962, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Ridder yield? Senator Ridder, is it the intent of this legislation to, in following the old welfare rights program for women and minors which required things like heated buildings for employees to work in, is it the intent of this legislation to require heat for men working in all buildings in the state?"

Senator Ridder: "It is my understanding at the hearings on this bill, all of those things were made possible reasonably for women and minors will now be a part of the welfare of all employees. Now if a heated building, before it was necessary to have a heated building for women and minors then now all employees would have a heated building, and essentially, however, within the regulations of the Industrial Welfare Committee and I would presume that there would be a number of things that would be changed within the rules and regulations."

Senator Lewis (Harry): "Senator Ridder, in the past you could not work women or minors in areas that were unheated and there are many manufacturing plants, warehouses, and so forth throughout this state, service stations, that are unheated and I just want to be sure that this bill is not going to force a boon to the heating industry."

Senator Ridder: "If you would look on page 4, line 20, it says 'any person' which is stricken. Any employee now employed or employing a person for whom a minimum wage or standard conditions and hours of labor have been specified at less than said minimum wage or under standard or conditions of labor and hours of labor prohibited by the rules and regulations of the committee. So you do not buy all of the old rules now. There will be

new rules and regulations under the APA set up by this Industrial Welfare Committee led by the director of Labor and Industries."

Senator Lewis (Harry): "Well then, Senator Ridder, on that basis could they set up a different minimum wage?"

Senator Ridder: "I do not think so. We have a legal minimum wage here in the state of Washington. I do not think that they could stretch that."

#### POINT OF INQUIRY

Senator Guess: "Would Senator Ridder yield? Senator Ridder, you just read this act, on line 20, it says 'any employer employing any person for whom a minimum wage or standard conditions and hours of labor have been specified at less than the said minimum wage or under conditions of labor, hours of labor prohibited by the rules and regulations.' Now do you mean that we are going to now adopt a procedure where this committee can establish minimum wages?"

Senator Ridder: "No, they set up the rules and regulations. If you employ people under what I would consider legal minimum wage they would come under this, but there is a legal in this state."

Senator Guess: "There is also already a minimum number of hours that a woman can work, but men in the past have worked far greater hours than women. Do you now mean that we are going to have to limit men to the same number of hours that the women have been limited to?"

Senator Ridder: "In the testimony before the committee this is not true as I understand it by what was said."

Senator Guess: "How do you exclude them?"

Senator Ridder: "This is old language, as you will notice."

Senator Guess: "Yes, but it was for women before. Now it is going to be for all men."

Senator Ridder: "Yes, but before we did not have the Industrial Welfare Committee."

Senator Guess: "We did have a Welfare Committee. This committee was in the bill beforehand. That is not new language."

Senator Ridder: "The Industrial Welfare Committee as it is set up here now, you know these new rules and regulations are the new words inserted by the committee rather than just the order of the committee and I think that they would set rules and regulations according to the new federal and state regulations within those orders and this is the way it would be set."

#### POINT OF INQUIRY

Senator Lewis (Harry): "I wonder if Senator Ridder would yield to another question? Senator Ridder, would you tell me what the intent of new section, section 12 is on page 6? What is your understanding of the purpose of that section? It reads, 'It shall be the duty of the Industrial Welfare Committee with the aid and the assistance of the director to investigate the wages, hours and conditions of labor of all employees. He shall have full authority to require statements from all employers relative to wages, hours and working conditions and to inspect the books, records and physical facilities.' I am concerned about the entire paragraph, Senator, but I am concerned about this inspection of physical facilities. Is this intended to go beyond, I assume we have safety inspections now which are—but I am concerned about this physical inspection of facilities, as well as the entire paragraph."

Senator Ridder: "You can very easily understand if you set up rules and regulations according to this Industrial Welfare Committee, then it should be up to the Welfare Committee to investigate to see, or the director, to see that these things are being followed. And in this case it is merely to see that the rules and regulations as set up are being met in the relating to conditions and the welfare of the employees and I do not think that this at all says that there is going to be a witch hunt or anything to put pressure upon employers but you just about have to be able to go in and this section, of course, allows that to happen, to go in and investigate to see whether the rules and regulations were being fulfilled. I do not see how you could do it otherwise."

## MOTION

On motion of Senator Durkan, Engrossed House Bill No. 962, as amended by the Senate, was made a special order of business for 8:00 p.m. this evening.

## SECOND READING

ENGROSSED HOUSE BILL NO. 933, by Representatives Hansey, Goltz and Matthews:

Permitting Canadian doctors to practice medicine in certain specified Washington areas during an emergency situation.

The bill was read the second time by sections.

Senator Clarke moved adoption of the following amendment by Senators Day and Clarke:

On page 2, immediately following section 1, add a new section as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 18.71 RCW a new section to read as follows:

A right to practice medicine and surgery by a Canadian physician in this state pursuant to section 1 of this 1973 amendatory act shall be revocable by order of the director of the department of motor vehicles upon a finding by the director of an act of unprofessional conduct as defined in RCW 18.72.030. Such physician shall have the same rights of notice, hearing and judicial review as provided licensed physicians generally pursuant to chapter 18.72 RCW."

On motion of Senator Woodall, the following amendment to the amendment by Senators Day and Clarke was adopted:

On page 2, add the following paragraph to the Day/Clarke amendment adding a new section 2:

"Notwithstanding any other provision of law and subject to the provisions relating to revocation under chapter 18.88 RCW and chapter 18.25 RCW respectively, chiropractors and nurses licensed to practice in Canada or any province or territory thereof shall have a right to practice in any part of this state which shares a common border with Canada and which is surrounded on three sides by water."

The motion by Senator Clarke carried and the amendment, as amended, was adopted.

On motion of Senator Day, the following amendment to the title was adopted:

On line 2 of the title, strike "and", and on line 4, after "18.71.030" and before the period insert "; and adding a new section to chapter 18.71 RCW".

On motion of Senator Atwood, Engrossed House Bill No. 933, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 933, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 3; absent or not voting, 5; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall, Woody—38.

Voting nay: Senators Durkan, Newschwander, Peterson (Lowell)—3.

Absent or not voting: Senators Bottiger, Connor, Matson, Talley, Wanamaker—5.

Excused: Senators Dore, Francis, Greive—3.

ENGROSSED HOUSE BILL NO. 933, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERSONAL PRIVILEGE

Senator Day: "Mr. President and gentlemen of the Senate, I think that we have seen here today and I am guilty, I realize, of a classic case of overkill, wherein I have described the need for freedom of choice, protection of the subscriber, protection of the premium payer and the public and their right to health care freedom to where we cannot get a bill through the Senate anymore without one of my colleagues demanding that such amendments be tied on. I thank you very much and I hope that the precedent does not become a mandage."

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, by Committee on Constitution and Elections (originally sponsored by Representative King):

Requiring the appointment of precinct committeemen as deputy voter registrars.

The bill was read the second time by sections.

Senator Odegaard moved adoption of the following amendment:

On page 2, section 2, line 8, of the printed bill, being page 2, line 3 of the engrossed bill, after "request" and before the period insert "*PROVIDED, HOWEVER, That such precinct committeemen shall only register voters residing in the precinct in which the precinct committeeman has been duly elected or appointed*".

## POINT OF INQUIRY

Senator Matson: "Would Senator Odegaard yield? I notice it says a precinct committeeman shall only register voters residing in his precinct. What happens if he registers somebody outside of his precinct?"

Senator Odegaard: "He would, by this language, if he would register someone outside the precinct, which he ought not be doing according to this amendment, then the county auditor would not be able to accept that registration."

Senator Matson: "You know, I think there are a number of people serving on this floor that are not aware of the exact boundaries of their legislative district. Are you saying that all precinct committeemen know exactly the boundaries of their precincts?"

Senator Odegaard: "I am sure that the county auditor would familiarize each committeeman with the exact boundaries of his precinct and this amendment, you see, would tighten it down to his own precinct whereby without this amendment he would have to be familiar with the whole county, all of the taxing districts within all parts of the county. With this amendment he only has to be familiar with the taxing districts within his own precinct."

Senator Matson: "There are no penalties, I take it, if he were to register someone outside of the precinct and the auditor did not catch it?"

Senator Odegaard: "I do not know of any, Senator Matson. Senator Grant, who is more familiar with these matters, is chairman of that committee and might be able to answer that."

Debate ensued.

The motion by Senator Odegaard carried and the amendment was adopted.

## MOTIONS

On motion of Senator Mardesich, Senators Bottiger and Talley were excused.

On motion of Senator Grant, Engrossed Substitute House Bill No. 894, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 894, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 16; absent or not voting, 3; excused, 5.

Voting yea: Senators Bailey, Connor, Day, Donohue, Durkan, Fleming, Gardner, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Canfield, Clarke, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Newschwander, Peterson (Ted), Sellar, Twigg, Wanamaker, Whetzel, Woodall—16.

Absent or not voting: Senators Guess, Murray, Scott—3.

Excused: Senators Bottiger, Dore, Francis, Greive, Talley—5.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, 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 Senator Day, all bills passed today were ordered immediately transmitted to the House.

## SECOND READING

HOUSE JOINT MEMORIAL NO. 21, by Representatives Lysen, Goltz, Van Dyk, Eng, Williams, Johnson, Ellis, Erickson, Shinpoch, Maxie, Bagnariol, Ehlers, Kalich, Adams, Moon, King, Gallagher, Perry, Savage, Jastad, Wojahn, McCormick, Thompson, Bauer, Sommers, Parker, Clemente and Bender:

Requesting the secretary of health, education, and welfare to reconsider certain regulations.

The memorial was read the second time in full.

On motion of Senator Day, House Joint Memorial No. 21 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 21 and the memorial passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 4; excused, 5.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woody—39.

Voting nay: Senator Mattingly—1.

Absent or not voting: Senators Connor, Murray, Scott, Woodall—4.

Excused: Senators Bottiger, Dore, Francis, Greive, Talley—5.

HOUSE JOINT MEMORIAL NO. 21, having received the constitutional majority, was declared passed.

There being no objection, the Senate returned to the first order of business to receive a report from the Committee on Education on Engrossed Senate Bill No. 2289 and the House

message and House amendments thereon, which had been referred to that committee by the President of the Senate on Saturday, April 14, 1973.

#### REPORT OF STANDING COMMITTEE

April 15, 1973.

ENGROSSED SENATE BILL NO. 2289, giving option to principals and assistant principals of joining together for separate employer-employee relations (reported by Committee on Education):

MAJORITY recommendation: That the Senate do not concur in the House amendments and asks the House to recede therefrom.

Signed by: Senators Gardner, Chairman; Bottiger, Murray, Newschwander, Odegaard.

#### MOTION

On motion of Senator Gardner, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 2289 and asks the House to recede therefrom.

#### MESSAGES FROM THE HOUSE

April 15, 1973.

Mr. President: The House has granted the request of the Senate for a conference on SENATE BILL NO. 2522, and the House amendments thereto and the Speaker has appointed as members of the Conference Committee: Representatives Conner, Rabel and Berentson.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Transportation Committee: Representatives Beck, Charnley, Conner, Gallagher, Kalich, McCormick, Perry, Amen, Berentson, Gilleland, Kraabel and Schumaker.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Forest Tax Committee: Representatives Goltz, Thompson, Benitz and Julin.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Public Pension Committee: Representatives Bausch, Johnson, North (Frances), Kuehne and Smythe.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Ethics Committee: Representatives Goltz, Perry, Hendricks and Paris.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Statute Law Committee: Representatives Smith and Swayze.

DONALD R. WILSON, Assistant Chief Clerk.



April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Oceanographic Committee: Representatives Fortson, Smith and Hansey.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Judicial Council Committee: Representatives Kelley, Knowles and Hayner.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Expo '74 Committee: Representatives Luders, May and Pardini.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as a member of the Legislative Interstate Compact on Education Committee: Representative Ellis.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as a member of the Legislative Columbia Interstate Compact Committee: Representative Laughlin.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative Budget Committee: Representatives Bagnariol, Chatalas, Shinpoch, Thompson, Morrison, Curtis, Kopet and Polk.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: Under the provisions of RCW 44.40.010 the Speaker has appointed as members of the Legislative American Revolution Bicentennial Committee: Representatives Beck and Zimmerman.

DONALD R. WILSON, Assistant Chief Clerk.

#### PRESIDENT'S APPOINTMENTS OF STATUTORY COMMITTEE MEMBERS

##### LEGISLATIVE TRANSPORTATION COMMITTEE

Under the provisions of RCW 44.40.010, the President appointed the following members to the Legislative Transportation Committee: Senators Durkan, Guess, Henry, Jolly, Knoblauch, Matson, Peterson (Lowell), Sellar, Walgren, Wanamaker and Washington.

##### MOTION

On motion of Senator Bailey, the appointments were confirmed.

##### LEGISLATIVE BUDGET COMMITTEE

Under the provisions of RCW 44.28.010, the President appointed the following members to the Legislative Budget Committee: Senators Atwood, Canfield, Donohue, Gardner, Marsh, Newschwander, Odegaard and Scott.

## JOURNAL OF THE SENATE

## MOTION

On motion of Senator Atwood, the appointments were confirmed.

## PUBLIC PENSION COMMISSION

Under the provisions of RCW 41.52.010, the President appointed the following members to the Public Pension Commission: Senators Fleming, Jones, Lewis (Bob), Ridder and Stortini.

## MOTION

On motion of Senator Bailey, the appointments were confirmed.

## BOARD OF LEGISLATIVE ETHICS

Under the provisions of RCW 44.60.020, the President appointed the following members to the Board of Legislative Ethics: Senators Bailey, Dore, Newschwander and Twigg.

## MOTION

On motion of Senator Atwood, the appointments were confirmed.

## MOTION

At 6:00 p.m., on motion of Senator Mardesich, the Senate recessed until 8:00 p.m.

## EVENING SESSION

The President called the Senate to order at 8:00 p.m.  
There being no objection, the Senate was declared to be at ease.  
The President called the Senate to order at 10:05 p.m.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2045,  
SUBSTITUTE SENATE BILL NO. 2247,  
SENATE BILL NO. 2361,  
SENATE BILL NO. 2491,  
SENATE BILL NO. 2672,  
SUBSTITUTE SENATE BILL NO. 2739,  
SENATE BILL NO. 2790.

## SIGNED BY THE PRESIDENT

The President signed:  
HOUSE BILL NO. 418,  
HOUSE BILL NO. 621,  
HOUSE BILL NO. 766,  
SUBSTITUTE HOUSE BILL NO. 1005.

## MESSAGE FROM THE HOUSE

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2425, with the following amendment:

April 15, 1973.

On page 1, section 1, beginning on line 21 of the engrossed bill, after "name" strike all the material down to and including "returns" on line 25, being the matter added by the amendment by Senator Odegaard, and insert ": *AND PROVIDED FURTHER, That in the instance of a write-in candidate for a partisan office only those write-in votes constituting the greatest number of a single political party designation shall be valid for counting purposes when the canvassing authority certifies the official election returns*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2425.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2425, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2425, 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 HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2621, with the following amendments:

In line 9 of the title after "RCW 46.10.150;" and before "adding" strike "and".

In line 10 of the title after "RCW" and before the period insert "; creating new sections; and declaring an emergency".

On page 3, section 3, in line 25 beginning with "any" strike all material down to the period in line 27 and insert "*the unused portion of the moneys allotted to the commission for snow removal operations at other than developed recreational facilities, as provided for in this section and in section 4 of this 1973 amendatory act, from the registration moneys and the gasoline fuel tax, as of March 1 of the second year of the biennium shall revert to the development and operation fund of the commission*".

On page 4, following section 5 add new sections to read as follows:

"*NEW SECTION. Sec. 6. The unused portion of the moneys allotted to the commission for snow removal operations at other than developed recreational facilities as provided for from the registration moneys pursuant to section 3 of this 1973 amendatory act for the current biennium ending June 30, 1973, shall immediately revert to the development and operation fund of the commission, to be expended prior to June 30, 1973.*

*NEW SECTION. Sec. 7. Section 6 of this 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Mardesich, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2621.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2621, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2621, 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 HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2614, with the following amendment:

On page 1, section 1, line 10 of the engrossed and printed bills, after "shall" insert "pay tax on the invasion within sixty days of the receipt thereof and shall", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

On motion of Senator Mardesich, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2614.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Whetzel yield to a question? Senator, is this the bill that will exempt pensions from inheritance tax?"

Senator Whetzel: "No. That bill, Senator Rasmussen, has been passed by the House."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2614, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2614, as amended by the House, having received

the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED HOUSE BILL NO. 349, by Representatives Gallagher, Parker, Jueling, Erickson, Kelley and Gaspard:

Regulating commercially licensed troll vessels.

The time having arrived, the Senate resumed consideration of Engrossed House Bill No. 349 and the amendment to page 2, line 6 moved for adoption by Senator Peterson (Ted) earlier today.

There being no objection, the amendment by Senator Peterson (Ted) was withdrawn. On motion of Senator Peterson (Ted), the following amendment was adopted:

On page 2 of the printed bill, on line 2 insert the following sections:

"Sec. 6. Chapter 309, Laws of 1959 as last amended by section 6, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.087 are each amended to read as follows:

Every owner of a commercial fishing vessel shall obtain an annual commercial fishing license, not otherwise provided for in this chapter, for the taking of food fish and shellfish within the state of Washington: PROVIDED, That holders of commercial salmon fishing licenses as set forth in this chapter may retain incidentally caught food fish other than salmon, and: PROVIDED FURTHER, That licensed oyster and clam farmers are not subject to this section. The fees for commercial fishing licenses required in this section shall be in the amounts set forth in this chapter prescribed by the type gear employed in the taking of food fish and shellfish.

*On and after the effective date of this act, if a person is to be licensed under this section and such person operates a vessel described in section 1 of this 1973 amendatory act he shall prove to the department that he landed salmon having a value in excess of five times the cost of a license issued pursuant to this section for the period covered by the license for the preceding year, as documented by a Washington department of fisheries landing ticket or tickets for such salmon. PROVIDED, HOWEVER, That any new licensee has one year to qualify under the provisions of this section for a renewal of such license.*

**NEW SECTION.** Sec. 7. There is added to chapter 75.28 RCW a new section to read as follows:

The director of the department of fisheries shall appoint a five man board of review to hear and pass on applications for commercial fishing licenses in each hardship or disputed case. The members of such review board shall be from the commercial fishing industry. The provisions of chapter 34.04 RCW shall apply to hearings of this board."

Renumber the remaining sections consecutively.

Senator Bailey moved adoption of the following amendment:

On page 2, line 2, following section 5, insert the following:

**"NEW SECTION.** Sec. . . . . To prevent discrimination against commercial trollers of the state of Washington the department of fisheries in allowing and regulating trolling gear for commercial fishermen shall adopt rules and regulations providing that such commercial trolling gear requirements shall be similar to the trolling gear requirements for commercial fishermen for the state of Oregon."

Renumber the following sections.

Debate ensued.

#### POINT OF INQUIRY

Senator Guess: "Senator Bailey, you have got me thoroughly confused now. I thought for awhile that kelp was a seafood plant. Now I find out it is a fish. Is that right?"

Senator Bailey: "That is the reason the bill is liable to pass because most people do not understand it and do not understand the intricate nature of the thing. Actually there are some good kelpers. There are some real legitimate kelpers. There are a lot of other kelpers who are just trying to perpetuate in this state a com-sports organization which means that they buy one fishing license and they go out fishing, these sportsmen, you know, sportsmen

who plunder everything, go out fishing and fish without limits and then when you go aboard the boat and try to find out what it is, they say, 'Well, we have got a commercial license on the boat. We did this commercially.' In other words, they have no limit. That is what Senator Peterson's amendment tried to stop too and I agree it was a good amendment, but I think we cannot move unilaterally on this. We must move in the Pacific Marine Compact in unison with Oregon and whomever else we are in the compact with."

The motion by Senator Bailey failed and the amendment was not adopted on a rising vote.

Senator Peterson (Lowell) moved adoption of the following amendment:  
On page 2, section 7, line 4 of the printed bill, strike all of new section 7.  
Debate ensued.

#### POINT OF INQUIRY

Senator Metcalf: "Will Senator Peterson yield to a question? Is your striking of the emergency clause then putting into effect the licensing or will it put into effect this bill, because if we are striking the emergency clause on this bill we are delaying for three months the use by the kelpers of this bill and we do not want to do that."

Senator Peterson (Lowell): "Senator Metcalf, as I interpret it, this measure is already on appeal in the courts and they have the present right pending their appeal, and the reason for the striking of the emergency clause was only because of the dates that are specified in the bill. My interpretation and the interpretation of the committee was that this will in effect take effect in 1974 rather than 1973. We cannot strike out 1973's laws after they have already bought their licenses."

Senator Metcalf: "Thank you very much."

#### POINT OF INQUIRY

Senator Rasmussen: "Mr. President, I think that Senator Metcalf had a point. I think you have to have the emergency clause on there to make it effective this year. They have got their licenses but they will not be able to fish with their present equipment unless this emergency clause is on there. They all have the licenses, but they will have to go and buy new equipment in order to fish this year if this emergency clause is stricken. What say you, Senator Peterson?"

Senator Peterson (Lowell): "Mr. President and members of the Senate, it is my interpretation that pending the appeal or the rendering of the court decision they are still allowed to use their hand held gear and this is not going to affect it for the balance of this season for those that have purchased their licenses."

Senator Rasmussen: "Senator Peterson, the appeal has not been filed as yet, and if this law is corrected by this legislature there will be no appeal filed and that is why it is necessary to have the emergency clause."

There being no objection, the amendment by Senator Peterson (Lowell) was withdrawn.

On motion of Senator Grant, the following amendment was adopted:

On page 2, section 7, line 8 of the engrossed bill, strike "on April 9, 1973" and insert "immediately".

On motion of Senator Peterson (Ted), the following amendments to the title were adopted:

On page 1 of the printed bill, on line 1 of the title after "fish;" and before "adding" insert "amending section 6, chapter 309, Laws of 1959 as amended by section 6, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.087;"

On page 1 of the printed bill, on line 2 of the title after "1955" and before "and" insert ", to chapter 75.28 RCW".

On motion of Senator Grant, the following amendment to the title was adopted:

On page 1, line 4 of the title, strike "; and making an effective date".

On motion of Senator Peterson (Lowell), Engrossed House Bill No. 349, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Walgren: "Will Senator Lowell Peterson yield to a question? Senator, with regard to section 4 of the bill and concerning particularly charter boats that are daily changing their licenses, what will be the effect of this provision?"

Senator Peterson (Lowell): "Senator Walgren and members of the Senate, charter boats are licensed under a different provision of the regulation than what we are speaking of in the kelper troll fishery. We have granted them this privilege and this bill has no intent to alter or change the present rules or regulations governing charter boats and we would like to have that in the record."

#### POINT OF INQUIRY

Senator Mardesich: "Would Senator Peterson yield to another question? Is it possible under this bill for a charter boat to take a kelper's license and then thereby eliminate the limits for passengers?"

Senator Peterson (Lowell): "Senator Mardesich, I would say no because this bill had nothing to do and there is no mention of charter vessels. It relates strictly to the troll fishery, and the charter boat industry per se is not classified under the regulations or RCW's as the troll fishery. They have been granted the privilege, by statute, to engage in this type of fishery but it is not written into this bill in any manner that I interpret and certainly it is not the intent of the measure to permit this type of an operation."

#### POINT OF INQUIRY

Senator Bailey: "Senator Peterson, in following up Senator Mardesich's question, is there anything in the law then to prohibit a kelper from charging a fee and taking people fishing and in effect circumventing the charter boat operation?"

Senator Peterson (Lowell): "Senator Bailey, if there is I can assure you that it is not the intent of the legislature and if such a matter does come up I am sure that when we come back here in September we will certainly straighten it out because that is not the intent of the legislation."

#### REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President and members of the Senate, I am not going to speak any more on this bill. I think the amendments pretty well covered it, except to say one thing, that we put restrictions on the little guy who wants to do electrical work. We put restrictions to protect him. We put restrictions on the plumbers. We have done about everything to protect everybody. Now we are saying to the commercial fisheries, which is one of the important industries of the state, 'You no longer have to worry because anybody can come in,' particularly some sportsman who has no respect for conservation or anything and would like to have a free run at spare-time fishing and who really would like to freeze out the commercial fisherman. I think you are going to find this is the ultimate effect of this bill. The proponents are absolutely aiming next time to knock out the commercial fisheries as much as they can. This is the opening wedge. The sportsmen will have control of the kelpers group under this law. I do not saw that kelpers are sportsmen, don't get me wrong, but under this law I think the sportsmen are going to take control of them and buy these licenses so they can circumvent restrictions and fees that other commercial fishermen in the state are forced to do.

The bill in itself opens up the inland waters. It does not open up the ocean because we do not control the ocean, but we do open up the ports, the delivery permits, and you are going to see a lot of Oregon people coming up here because they cannot do this commercial fishing with sports gear in their own state. They are going to come up here and take our fish, flood our markets, and then go back home and spend their money. I just think that this is a

bad precedent. We should do this in unison with Oregon if we are going to do it at all and we should not open up our commercial fisheries to this big raid."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 349, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 12; absent or not voting, 1; excused, 4.

Voting yea: Senators Atwood, Canfield, Clarke, Day, Donohue, Dore, Fleming, Gardner, Grant, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Marsh, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Washington, Whetzel, Woodall—32.

Voting nay: Senators Bailey, Durkan, Henry, Lewis (Harry), Mardesich, Matson, Mattingly, Odegaard, Sandison, Sellar, Wanamaker, Woody—12.

Absent or not voting: Senator Connor—1.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED HOUSE BILL NO. 349, 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 Senator Rasmussen, Engrossed House Bill No. 349, as amended by the Senate, was ordered immediately transmitted to the House.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED HOUSE BILL NO. 962, by Representatives Ehlers, Savage, Wojahn and May:

Revising the law relating to industrial welfare.

The Senate resumed consideration of Engrossed House Bill No. 962, as amended by the Senate, on third reading.

There being no objection, on motion of Senator Lewis (Harry), Engrossed House Bill No. 962, as amended by the Senate, was returned to second reading.

On motion of Senator Lewis (Harry), the following amendment by Senators Lewis (Harry) and Guess was adopted which cancels the amendment adopted earlier in the day and proposed by Senator Lewis (Harry):

On page 1, line 1, after "welfare;" strike the balance of the act and insert "and adding a new section to chapter 49.12 RCW."

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

*NEW SECTION.* Sec. 1. There is added to chapter 49.12 RCW a new section to read as follows:

The director of the department of labor and industries in conjunction with representatives of labor and management shall conduct a study of the need for expansion of the application of this chapter to all adult workers and shall report to the next session of the legislature with recommendation for corrective legislative action."

On motion of Senator Mardesich, Engrossed House Bill No. 962, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 962, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.



Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—44.

Absent or not voting: Senator Connor—1.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED HOUSE BILL NO. 962, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President: "Honored and respected members of the Senate, ladies and gentlemen, at the request of the very competent and dedicated and hard working special committee of the Senate composed of Senator Sandison, Senator Newschwander, Senator Fleming, Senator Knoblauch and Senator Talley, the President wishes to call the attention of the members to the presence of three very lovely and charming ladies who have so capably demonstrated their dedication to the best interests of the Senate. The President is, of course, referring to the members of the restaurant staff who are seated in the north gallery. These very fine ladies who have worked so hard and have shown dedicated interest in the welfare of the Senators are there and the President would like to respectfully request of the committee that they stand with our dear friends, Maxine Mulholland, Ruth Givogre and Helen Hinton, and the President is only sorry that Gordon Nelson is not with them. Won't you please stand, ladies, with the members of the committee in order that we may properly acknowledge and express our appreciation."

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 933, to line 2 of the title, and page 2 adding new section 2, and refuses to concur in the amendment to page 2, following Day/Clarke amendment adding new section 2 and asks the Senate to recede therefrom., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Day, the Senate receded from the Senate amendment to page 2 following the Day/Clarke amendment adding new section 2 to Engrossed House Bill No. 933.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 933, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—45.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED HOUSE BILL NO. 933, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2841, with the following amendment:

On page 2, section 1, line 18 after "of" and before "hospitals" insert "nonprofit", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Fleming, the Senate concurred in the House amendment to Engrossed Senate Bill No. 2841.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2841, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 3; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Dore, Fleming, Gardner, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall, Woody—39.

Voting nay: Senators Grant, Marsh, Odegaard—3.

Absent or not voting: Senators Connor, Durkan, Peterson (Lowell)—3.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2841, 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 HOUSE

April 14, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2306, and has passed the bill as amended by the Free Conference Committee and said report together with the bill are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF FREE CONFERENCE COMMITTEE

April 14, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2306, authorizing legislative authority of a county to employ an attorney for legal services, have had the same under consideration, and we recommend that the bill be amended as stated in the Conference report.

Signed by: Senators Fleming, Murray and Talley; Representatives Haussler and Kalich.

## MOTION

On motion of Senator Fleming, the report of the Free Conference Committee on Engrossed Senate Bill No. 2306 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2306, as amended by the Free Conference Committee, and the bill failed to pass the Senate by the following vote: Yeas, 17; nays, 26; absent or not voting, 2; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Day, Fleming, Gardner, Grant, Henry, Herr, Knoblauch, Marsh, Matson, Murray, Peterson (Lowell), Ridder, Van Hollebeke, Woody—17.

Voting nay: Senators Clarke, Donohue, Dore, Durkan, Guess, Jolly, Jones, Keefe, Lewis (Harry), Lewis (Bob), Mardesich, Mattingly, Metcalf, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Twigg, Walgren, Wanamaker, Washington, Whetzel—26.

Absent or not voting: Senators Connor, Woodall—2.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2306, as amended by the Free Conference Committee, having failed to receive the constitutional majority, was declared lost.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 53, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF CONFERENCE COMMITTEE

April 14, 1973.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 53, making certain amendments to the open space lands taxation laws, have had the same under consideration, and we recommend that the bill do pass as amended by committee amendment by the Committee on Ways and Means with the following amendment to the committee amendment:

On page 4, line 22, strike "board of equalization" and insert "legislative authority" and we respectfully request the powers of Free Conference.

Signed by: Senators Odegaard, Matson and Donohue; Representatives Van Dyk and Flanagan.

## MOTION

On motion of Senator Donohue, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## REPORT OF FREE CONFERENCE COMMITTEE

April 14, 1973.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 53, making certain amendments to the open space lands taxation laws, have had the same under consideration, and we recommend that the bill do pass as amended by the Senate Committee on Ways and Means, with the following amendment to the committee amendment:

On page 4, line 22 of the committee amendment, strike "board of equalization" and insert "legislative authority".

Signed by: Senators Odegaard, Matson and Dore; Representatives Van Dyk and Flanagan.

## MOTION

On motion of Senator Donohue, the report of the Free Conference Committee on Substitute House Bill No. 53 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 53, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 38; nays, 3; absent or not voting, 4; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Dore, Durkan, Gardner, Guess, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—38.

Voting nay: Senators Mardesich, Rasmussen, Whetzel—3.

Absent or not voting: Senators Connor, Fleming, Grant, Henry—4.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

SUBSTITUTE HOUSE BILL NO. 53, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, and asks the Senate to recede therefrom., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MOTION

On motion of Senator Mardesich, the Senate receded from the Senate amendments to Engrossed Substitute House Bill No. 894.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 894, without the Senate amendments, and the bill passed the Senate by the following vote: Yeas, 25; nays, 18; absent or not voting, 2; excused, 4.

Voting yea: Senators Bailey, Canfield, Day, Dore, Durkan, Fleming, Gardner, Grant,

Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Van Hollebeke, Walgren, Washington, Woody—25.

Voting nay: Senators Atwood, Clarke, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senators Connor, Donohue—2.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, and the House amendments thereto, and the Speaker has appointed as members of the Conference Committee thereon: Representatives King, Gallagher and Barden.

DONALD R. WILSON, Assistant Chief Clerk.

#### SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, by Committee on Commerce (originally sponsored by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher):

Relating to gambling.

The Senate resumed consideration of Engrossed Substitute House Bill No. 711 on second reading having been returned to second reading by Senator Twigg on Saturday, April 14, 1973.

#### MOTION

Senator Twigg moved that the following amendments be considered simultaneously:

On page 2, section 1, line 32 after "raffles," and before "and amusement" strike "Reno night".

On page 2, section 1, line 33 after "tabs," strike everything through "devices," on page 3, line 1.

On page 3, section 1, line 1 strike "Mah Jongg".

On page 4, section 2, line 33 after "section" strike all material through "years" on line 5.

On page 6, section 2 (9), line 30 strike "or payment in lieu thereof,"

On page 7, section 2, line 29 after "found," strike "except as otherwise in subsection (18) of this section provided,"

On page 8, section 2, line 5 after "chapter," strike everything down to and including "nor do" on line 8.

On page 8, section 2, line 8 after "activities" insert "do not".

On page 8, section 2, beginning on line 13 strike everything down to and including "event;" on line 16 and insert the following:

"published in a bona fide newspaper, or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program."

On page 8, section 2, line 19 beginning with "(c) furnishing" strike everything down to and including "either;" on line 20 and renumber remaining sections consecutively.

On page 8, section 2, line 21 after "entry blank" strike "or proof of purchase".

On page 8, section 2, line 22 after "address" and before ";" insert "in connection with a promotion conducted in this state not more than once a year over a period of not more than 90 days".

On page 8, section 2, line 30 after "held by" and before "in-state" insert "or on behalf of".

On page 11, section 2, beginning on line 12 strike all of subsection (18) and renumber the remaining subsections consecutively.

On page 12, section 3, line 18 after "games," and before "and social" strike "Reno nights".

On page 12, section 3, lines 19-20 after "cardrooms" beginning with "and" on line 19, strike all material through "devices" on line 20.

On page 12, section 3, line 25-26 after "cardrooms" beginning with "and" strike all material through devices" on line 26.

On page 13, section 3, strike lines 4 through 8 and substitute therefor the following:

"The penalties provided for professional gambling in this chapter shall not apply to bingo games, raffles, punch boards, pull-tabs, amusement games, or social card games when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission."

On page 13, section 4, line 13 beginning with "one," strike all material through "large," on line 19.

On page 14, section 4, beginning on line 20 strike everything down to and including the period on line 23.

On page 16, section 7, line 16 after "games," and before "and social" on line 17 strike "Reno nights".

On page 16, section 7, lines 18-19 strike "and pinball machines or similar mechanical amusement devices".

On page 16, section 7, line 23 after "PROVIDED, That" insert: "any license issued under authority of this section shall be legal authority to engage in the gambling activity for which issued throughout the incorporated and unincorporated areas of any county, unless a county, or any first class city located therein with respect to such city, shall prohibit such gambling activity: PROVIDED FURTHER, That".

On page 17, section 7, lines 3 and 4 strike "and pinball machines or similar mechanical amusement devices".

On page 18, line 20, after "for," insert a new subsection as follows:

"(7) To regulate and establish maximum limitations on income derived from bingo: PROVIDED, That in establishing limitations pursuant to this subsection the commission shall take into account (i) the nature, character and scope of the activities of the licenses; (ii) the source of all other income of the licensee; (iii) the percentage or extent to which income derived from bingo is used for charitable, as distinguished from non-profit, purposes."

Renumber remaining sections consecutively.

On page 18, section 7, line 20 add: "PROVIDED, That in lieu of the requirements of this subsection, agricultural fairs as defined herein shall report such income not later than thirty days after the termination of said fair."

On page 19, section 9, line 28, after "legislature" and before the period insert:

": PROVIDED, That the first commission appointed pursuant to section 4 of this act shall conduct a thorough study of the types of gambling activity permitted and the types of gambling activity prohibited by this act and shall submit to the session of the legislature convened in September, 1973, if there be one, or, if not, to the session of the legislature convened in January, 1974, a report making specific recommendations as to: (1) Gambling activity that ought to be permitted; (2) gambling activity that ought to be prohibited; (3) the types of licenses and permits that ought to be required; (4) the appropriate fee for each type of license and permit; and (5) the type and amount of tax that ought to be applied to each type of permitted gambling activity".

On page 20, section 11, line 21 after "PROVIDED, That" strike everything down to and including "commission" on line 25 and insert "the tax rate established by any county,

except for any first class city located therein with respect to such city, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas."

On page 20, section 11, line 25 after "FURTHER," strike all material through "and" on page 21, line 4.

Remember the remaining subsections accordingly.

On page 21, section 11, line 22, beginning with "nothing" strike all material through "acts." on line 27.

On page 22, section 12, line 14 after "premises is," and before "to be," insert "unreasonable or".

On page 27, section 23, line 32 after "this act" strike everything down to and including "this act" on page 28 on line 1.

On page 27, section 23, beginning on line 30 strike all material through "act" on line 1, page 28.

On page 31, section 29, after "(21)" insert "Section 1, chapter 21, Laws of 1923, section 1, chapter 90, Laws of 1967 and RCW 9.47.150;

(22) Sections 2 and 3, chapter 21, Laws of 1923 and RCW 9.47.160 and 9.47.170; and

(23)"

On page 2, line 10 of the title, after "9.59.050;" and before "repealing" insert "repealing section 1, chapter 21, Laws of 1923, section 1, chapter 90, Laws of 1967 and RCW 9.47.150; repealing sections 2 and 3, chapter 21, Laws of 1923 and RCW 9.47.160 and 9.47.170;"

#### REMARKS BY SENATOR TWIGG

Senator Twigg: "Initially I think the first thing we should do, Mr. President, and I would offer an amendment to the amendment deleting the third amendment on page 1 of the packet of five pages which is in conflict with the amendments contained on the single sheet of amendments, and also on page 4 of the packet of five pages, the two middle amendments are identical and one of them should be stricken. They both do the same thing, in identical language and I would so move.

"By way of explanation, I should tell you initially that earlier this evening I met with Representative Kuehnle from the House, with Attorney General Gorton, with Governor Evans, his attorney, and the Republican caucus attorney, and went over the various provisions of these several bills we have been considering and I think I can state to you that if we adopt the amendments that are on your desks to Substitute House Bill No. 711 that it will be a measure that will pass the Governor's desk and will be accepted by him. I think it is the only thing we are going to get. If we are going to get anything at all in the way of a gambling bill I would submit to you that this has to be it. Now basically what the bill does in its amended form, if you adopt the several amendments, is provide for the state licensing of all gambling activities provided for in the bill under the auspices of the Department of Motor Vehicles. It also provides for the appointment of a five-member commission, the five members to be appointed by the Governor. In earlier bills, you will recall that these five members were selected from various areas of interest or activity and the Governor indicated he does not like that provision and accordingly one of these amendments provides that these people will be selected as he chooses and they are not necessarily representative of any factions interested in this measure.

"The most important features of this bill with these amendments if adopted are that the local municipality, cities and counties, will retain basic control and taxing authority. There is no taxing authority at the state level. The reason for that basically is that if we had left taxing authority solely at state level then obviously it seems to me the various municipalities and counties would say, 'Well, if we are not going to be able to derive any moneys from these activities in the form of tax revenues, why should we permit them?' And under the local veto provisions that are also in here they probably would not have permitted these activities. And that is the reason for that.

"In addition to the commission there is also appointed in the bill a legislative advisory committee comprised of one legislator from each of the four caucuses to work with the commission and report back to the Senate and the House in the next two years as they

continue to view the operation of gambling activity within the state and make recommendations to us here in session convened in September and again in January and I presume again in 1975. The activities which are permitted are essentially these, under the bill with these amendments. Bingo is permitted, raffles are permitted, pull-tab punch boards, social card games and amusement devices, meaning—I do not know much about these things but you have seen the single-coin five-ball flipper type pinball machine, if you can call it a pinball machine. That is what is permitted. Pinballs as commonly recognized, the multiple coin payoff type pinball machines are specifically and clearly deleted, and about two pages of these five pages of amendments address themselves to that subject. About another page of the amendments in front of you deletes all references to Reno night activities which were permitted under Engrossed Substitute House Bill No. 711, the light green copy in your books. Those activities are specifically not permitted. Now with reference to local veto, if I understand correctly these amendments provide that in any county any activity which I have just defined is legalized by the operation of this act throughout the state and throughout every county and every municipality. However, at the county level any county may veto any one or more of those several permitted activities. Additionally and independently, any city of the first class which, if I understand correctly, is a city exceeding twenty thousand population, also has an independent veto right as to one or more of these activities. Now in essence that is about what is involved.

“The penalty provisions are basically as we have seen them in previous bills. I am sure someone will want to know about whether several of us can get together in a hotel room and play poker? Yes, you can under the terms of this bill with these amendments, as long as no one performs as the house and takes a rake-off. If we are all even-steven in the game that is okay and you can do that. The taxing rate is limited in the bill at a maximum ten percent level. Within that limitation the municipality, county or city, can fix the rate of taxation on the several activities. And I should judge that the collective Alice Barneses of the state will rally to prohibit or to see to it that the taxing legislative authorities of the several municipalities do not tax these activities out of existence.

“Also contained in the amendments are references to the Reader’s Digest type of contest that perhaps you have heard about and seen, various television activities and radio activities where prizes are offered and these are permitted under the bill as amended, with these amendments. One additional item, there is a restriction on the amount of rent that may be charged to a bingo or other gambling activity to preclude the charging of an onerous rent that drains off all the profits. Basically that is it, gentlemen. I think as I said earlier, if we are going to leave here with any kind of a gambling bill we are going to have to buy it essentially in this form. Incidentally, one further thing, Senator Fleming and I have put mah-jongg into the measure by a series of amendments contained on one page that is on your desks. And I do not know anything about that. I imagine you will have some questions and I have my attorney standing by in the wings and if I cannot answer it, I hope you will give me a moment to get the answer.”

#### POINT OF INQUIRY

Senator Mardesich: “You mention nothing as to the disposition of the revenue. Does any go to the local level or does it all come into the state?”

Senator Twigg: “It all goes to the local level. I might qualify that, Senator. The licensing fees go to the state level but they are modest in nature and designed only to cover the expenses of the gambling commission.”

Senator Mardesich: “You say that with respect to those revenues there was a ten percent lid. I assume then that the local authority would adjust the rate of tax as it were?”

Senator Twigg: “Correct. Not to exceed that amount.”

Senator Mardesich: “As I recall the original bill, there was a commission as well as there is in this bill but in the original measure did not the commission pick the director of the department then?”

Senator Twigg: “I do not recall what was in the original bill. Under this bill with these amendments the commission comprised of five members appointed by the Governor at random, they are the commission and it provides that the director of the Department of



Motor Vehicles will assign one full-time employee to handle the mechanics of the issuance of licenses.”

Senator Mardesich: “As I saw a copy of this somewhere along the line or one of these amendments, I think it caught my eye that not only would the Governor appoint the commission but he would also directly appoint the director of this new group. Is that not correct?”

Senator Twigg: “I will make sure. I do not think it is. No, I am informed not. I read it and I did not see any reference . . . .”

Senator Mardesich: “Does he not have the power to dispose of the director if he desires under this . . . .”

Senator Twigg: “The director of Motor Vehicles? The commission approves the employee of the Department of Motor Vehicles.”

Senator Mardesich: “Who will be the director, in effect?”

Senator Twigg: “Yes.”

Senator Mardesich: “They approve but who appoints? I want to be sure we are following the same theory is all.”

Senator Twigg: “I cannot answer you. I am not sure. I trust if someone were appointed they did not approve of, you can argue that the commission does in fact appoint because they have the . . . .”

Senator Mardesich: “I would just like to be sure that if we are going to have this type of thing then the Governor is going to be responsible since he, in effect, is writing this bill I want him to be responsible for the operation of that gambling law and I want to be sure then that he is responsible for what happens under it. Anything other than that I would be inclined not to vote for.”

#### POINT OF ORDER

Senator Washington: “Mr. President, I raise a point of order. It is my understanding that Engrossed Substitute House Bill No. 711 has been on second reading calendar before, that it was amended, went to the House, was amended, came back here. I kind of lost track of its progress, but I know of no rule that would allow a bill once having been on the second reading calendar to be able to come back and again, after going to the other house, be on second reading calendar. I think we have precedents, certainly, and I do not think we are going into a complete anarchy that we just do not follow precedents and at least Reed’s Rules. I have never seen this happen before, particularly to have a complicated bill like this come before us with all of these amendments at two minutes to twelve. We do not understand all there is to know about them. I sometimes restrain myself in making a point of order but it seemed to me that this was the time to raise a point of order on an action which is going before this body at this late hour with most of us not knowing what is before us. It is a good point of order and I just think it is not right for us to have bills bounced back and forth like a shuttlecock from one house to the other and be again on second reading. It has never happened before and I do not know why it has to happen on this bill.”

#### REMARKS BY SENATOR DAY

Senator Day: “Speaking further on the point of order, I would like to point out that if we had rules it is within the province of this body to at any time suspend those rules and in the absence of rules it is certainly in order for a majority of the body to do as this body wishes and so I think that the point is not well taken in view of those facts and that if the majority of this body desires to put a bill on second reading they can put a bill on second reading.”

#### RULING BY THE PRESIDENT

The President: “The President in ruling upon the point of order presented by Senator Washington, the President believes that perhaps if rules had been adopted the point of order might be well taken but inasmuch as the majority of the members acted yesterday, the President believes that the point is, if well taken, not timely since the body has acted and has returned the measure to second reading for the purpose of amendment.”

## POINT OF INQUIRY

Senator Canfield: "Will Senator Twigg yield? Senator Twigg, I would like to have your opinion on a matter which is referred to in this bill on page 20 and again on page 23. I thought perhaps you would cover them in your list of amendments but I would like to call your attention to page 20, section 11, which says the legislative authority may provide for the taxing of these activities, and I think you alluded to that. The legislative authority may provide for the taxing, and then in line 21 it says, 'Provided that should no such tax be levied then no license therefor shall be issued by the commission.' Do you follow me so far?"

Senator Twigg: "Yes, I do. We discussed this yesterday."

Senator Canfield: "All right. Now please refer on page 23, line 31. 'Any person who conducts an activity without a license issued by the commission is guilty of a felony.'"

Senator Twigg: "Right."

Senator Canfield: "How do you reconcile those two statements?"

Senator Twigg: "I think in essence what I presume you are talking about are agricultural fairs?"

Senator Canfield: "No, not at all. I am talking about on the first case, if no tax is levied you could not be issued a license, that no license would be issued by the commission. Do you mean by that they could not have an activity unless they taxed it?"

Senator Twigg: "That is correct. Of course they can tax it at any rate that they determine in their judgment is proper. They can tax it at perhaps one-tenth of one percent, Senator, and then, assuming that the activity you refer to is authorized by or is taxed or a tax level is fixed upon it by the local legislative authority, then the Department of Motor Vehicles and the commission must issue a license to . . ."

Senator Canfield: "We are saying that if there is no tax levied they will not be issued a permit?"

Senator Twigg: "Correct."

Senator Van Hollebeke: "Answering Senator Canfield's inquiry and Senator Twigg's reply, that is taken out. That proviso is taken out by an amendment. There is an amendment on page 20, section 11, line 21, striking the entire proviso so that they may still tax it but in the absence of placing a tax on it, that is not the way it is vetoed with the new amendment. That amendment is on the top of the last page of that packet."

Senator Woodall: "I would like to get it real clear. At the present time in Toppenish, Washington, the Eagles Lodge plays bingo. Now I want to know, yes or no. Do they, tomorrow, if this passes or whenever it takes effect, do they have to quit unless the city taxes them or can they go on the way they have been going on?"

Senator Twigg: "I got these amendments about the same time everybody else did and evidently Senator Van Hollebeke has determined that that is not the case. Is that correct?"

Senator Van Hollebeke: "Page 20, section 11 begins, 'The legislative authority of any county, city-county, city or town by local law and ordinance and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder may provide for the taxing of any gambling activity authorized in section 3 of this act within its jurisdiction, the tax receipts to go to the county, city or town,' etc. Now the next part which provides that should no such tax be levied by any county, city, town or no license therefor in such respective jurisdiction shall be issued by this commission. That last proviso starting on page 21 is amended out if we accept this packet of amendments and it is by the amendment that is on page 5 at the top of page 5 in this packet, which provides that beginning at 'PROVIDED, That,' strike everything down to and including the word 'that' on line 25 and insert 'the tax rate established by any county except for any first class city located therein with respect to such city shall constitute the tax rate throughout such county, including both incorporated and unincorporated areas'. All right, so I am still correct. This just talks about the rates but the method of vetoing is taken out."

Senator Woodall: "Mr. President, I still want to get it real clear. I think this is very vital. It is very important to a lot of us and how we vote here. Again, are we saying if we pass this and I would like a positive yes or no and perhaps time to double check it. It is very important to me. Am I voting that until such time as Toppenish city commissioners tax the Eagles Lodge in Toppenish they cannot play bingo any more, which they are playing now?"

And until Central Washington Fair gets taxed by Yakima County they cannot have certain games? Now this is a very, very important measure to a lot of people and I think we do not want to guesswork on this and say we think and maybe and we assume. I think it is real important to know the full answer to this particular thing because I can see a lot of nonprofit groups, and while we are on this subject I want to know about raffles. Do raffles have to be taxed in order to be legal under this bill? Do raffles have to be taxed in order to be legal or can our community events go ahead and hold their community events like they have held them for many, many years now past? Now in Granger, they have the Cherry Festival. Senator Canfield was Cherry King one year. They have the Cherry Festival, and they sell chances for a one-day shot on things. We have the Beet Harvest. We have all these different one-day events. Now do all of these have to be taxed in order to carry on or don't they? Now I want that made clear."

Senator Canfield: "Mr. President, I think that Senator Van Hollebeke's proviso there would at least remove the conflict. Now what you want to do with it and how you would decide the question raised by Senator Woodall, I will leave to the legal minds, but I think the adoption of his proviso would remove the conflict that I referred to."

#### POINT OF INQUIRY

Senator Dore: "Would Senator Twigg yield to a question? I assume, Senator, you will go section by section through the bill so we will have a chance to vote on them intelligently as you adopt them. Right?"

Senator Twigg: "The purpose of my motion, Senator, earlier was that we consider them all simultaneously. That has not been put as yet."

Senator Dore: "Well, how about on page 3 then, the top of the page, you have 'the penalties provided for professional gambling in this chapter shall not apply to bingo games, raffles, punch boards, pull-tabs, amusement games or social card games when conducted in compliance with the provisions of this chapter.' Now what would they apply to?"

Senator Twigg: "They would apply to gambling activities not permitted under the provisions of this act which, of course, are not licensed. A pinball machine, for example, that type of activity."

Senator Dore: "What is the penalty in the event people violate the section, like under the bill we passed out of here we had felonies, we had gross misdemeanors for violations. Where is the violation section here then? What is your understanding? Is there a penalty here?"

Senator Twigg: "Yes, there are both felony and gross misdemeanor provisions in Substitute House Bill No. 711. I think you will find them, Senator Dore, under new section 23 in the light green bill. It is on page 24 in section 19. That is one of the penalties provided for anyone who secures a license and does so by fraud."

Senator Dore: "What line are you on in 24?"

Senator Twigg: "It is on page 24, sections 17, 18 and 19 are the penalty provisions. And also section 16."

Senator Dore: "This has reference to securing a license, if you do not have a license you are guilty of a felony. Say I have a license and I cheat the people and skim off and steal and so on. What am I guilty of, other than a civil action? I notice you have a civil action."

Senator Twigg: "You are guilty of a gross misdemeanor."

Senator Dore: "Where is that?"

Senator Twigg: "I believe it is section 17. New section 17 on page 24."

Senator Dore: "It is not there."

Senator Twigg: "Now on page 25 at the top of the page, one of the subdivisions of section 19, 'engaged in any act, practice or course of operation which would operate as a fraud or deceit upon any person,' you are guilty of a gross misdemeanor."

Senator Dore: "Do not you think that is a little light? It is just the reverse of the Senate bill. We had the gross misdemeanor on the failure to have a license and the felony on the other. Now you have turned it around under this bill, it is just reversed. We could have Al Capone come in and . . ."

Senator Twigg: "If you want to amend the amendment, feel free to do so."

Senator Dore: "One other thing, on the gross income, Senator Twigg, that ten percent gross, does that include the license fees charged the state or is it ten percent of the net?"

Senator Twigg: "Ten percent is the limiting figure on any tax imposed on any activity."

Senator Dore: "Ten percent of the gross?"

Senator Twigg: "Yes, I believe that is correct."

Senator Dore: "Ten percent of the gross, not the net?"

Senator Twigg: "Yes. That is the maximum."

Senator Dore: "But it is ten percent of the gross?"

Senator Twigg: "Yes."

Senator Dore: "All right. Now in determining that gross do you subtract the license fees charged by the state?"

Senator Twigg: "No, I would judge not."

Senator Dore: "Is it or isn't it?"

Senator Twigg: "Senator, the license fees charged by the state are going to be a relatively very modest sum of money."

Senator Dore: "Well, they are going to be enough in order to support the commission. It could be quite expensive. It depends on what the violations were."

Senator Twigg: "Well, I think not with the extent of license fees who are going to be licensed across the state. I think it is going to come up for a very modest fee. I cannot address myself specifically because I do not know."

Senator Dore: "You do not know what section that would be in? Because it might be there would be nothing left for the cities to receive if the license fees eat up the ten percent. And what may well be that this requires so much policing they have to hire a large investigatory staff and they would not, in some of these places, would not be able to license them at all. Say some of these ma and pa stores."

Senator Twigg: "I am not sure if I am following your line of questions but the taxing authority of the local legislative authority is limited to ten percent of the gross income of the activity involved. The license fee charged by the state, the Department of Motor Vehicles to whom it will be paid, is going to be quite a modest sum of money. It will be fixed by the commission but it will be modest in sum and certainly nothing that would be prohibitive for any legitimate operation."

Senator Dore: "Was it your understanding that would be subtracted from the ten percent gross or that would be over and above the ten percent gross?"

Senator Twigg: "Ten percent is the maximum limitation on the tax which may be levied against any gambling activity. It will be something up to that as authorized by the legislative authority in the city or county as the case may be."

Senator Dore: "Do you consider licensing a tax? Would that be included in the ten percent limitation?"

Senator Twigg: "No. That is correct."

Senator Dore: "So the local government can get up to ten percent of the gross as a tax, also the state, I notice in the language of the bill, can establish licenses in order to maintain themselves on a cost basis. Right?"

Senator Twigg: "Correct."

Senator Dore: "Did you strike section 32 from the bill or not? Do you put it in effect immediately?"

Senator Twigg: "There is no section 32, Senator Dore."

Senator Dore: "I thought in the green bill."

Senator Twigg: "I think you have the wrong one. It is a very pale green bill. I do not know which one you are looking at but it does not look like mine. There is no section 32 in the bill we are considering, Senator."

Senator Dore: "Let me ask you whether the language in section 32 . . ."

Senator Twigg: "I do not know what that language is."

Senator Dore: "It provides for it to go into effect immediately. Is that in the bill?"

Senator Twigg: "You mean the emergency clause?"

Senator Dore: "Yes."

Senator Twigg: "No, I do not believe there is an emergency clause in the bill."

Senator Dore: "It was in the old bill and I just wondered—on the right of referendum."

Senator Twigg: "No, there is not in this one."

Senator Dore: "I sent an amendment up. Apparently it is on the wrong bill. Does your amendment go in this Engrossed Substitute House Bill No. 711 or are they to be applied . . .?"

Senator Twigg: "No, they are not, Senator. The bill we have under consideration is Engrossed Substitute House Bill No. 711, to which I am offering about six pages of amendments which you have on your desk. One packet of five pages plus another single page."

Senator Dore: "Now just one last question, Senator. I appreciate your patience. We know pretty well what was in Engrossed Substitute House Bill No. 711. We followed it in the newspapers and it was debated extensively. What additional or lesser activities will we have in the bill under your amendments than we had in the presented printed form here, Engrossed Substitute House Bill No. 711? If you could just summarize it."

Senator Twigg: "Very quickly. The Reno nights allowed under the original 711 are deleted. All pinball machines are deleted, gambling type of pinball machines are deleted. The commission comprised of five members shall be appointed by the governor. They need not be selected from any particular areas of activity. In the original bill there was one representative of private clubs, one representing taverns and one representing law enforcement, etc. That is no longer in the bill if you adopt my amendments. Instead of providing local option we have provided local veto. In other words, all activities authorized under this bill with these amendments are legalized throughout the state. To delete or to abolish or prevent any single or more than one of these activities within a given county or city, the legislative authority of that municipality must take affirmative action to veto it. That is about it, Senator. Basically there are some number of minor things. The mah jongg amendments are among those being offered."

Senator Dore: "Mr. President, may I just ask one further question? Now you have changed it back to where the municipality is going to receive the various income from the gambling activities, or gaming activity?"

Senator Twigg: "Yes."

Senator Dore: "Who is going to enforce it?"

Senator Twigg: "The local authorities."

Senator Dore: "The local police? Well, what authority, if any, will the commission have then? It will just be advisory?"

Senator Twigg: "The commission, of course, if there are illegal activities operated by any licensee, will have the right to pull his license and they can employ the offices of the Attorney General or any local prosecuting attorney or city attorney to enjoin any activities which they deem outside . . ."

Senator Dore: "Under your bill then the state and the county would have concurrent jurisdiction to prosecute violations?"

Senator Twigg: "Yes. I am sure I saw that in here but I cannot tell you just where it is."

Senator Dore: "I am sure about the prosecutor. I do not know about the commission. Maybe Senator Van Hollebeke would know."

Senator Van Hollebeke: "I did not hear the question."

Senator Dore: "The question is, under this act as amended, assuming that these amendments are adopted, does the state have any enforcement provisions or authority at all?"

Senator Van Hollebeke: "I do not know. I am not that familiar with this one. I am sorry."

Senator Dore: "Is there anyone in the body that can answer that?"

Senator Twigg: "I have just checked with my counselor, Senator. The Attorney General's office, any state law enforcement people, the local law enforcement people, the county prosecutor, all have jurisdiction."

Senator Dore: "The Attorney General specifically is prohibited from any criminal jurisdiction so he cannot bring any . . ."

## POINT OF ORDER

Senator Newschwander: "It seems like we have had a ruling several times lately on three minutes of speaking only once in one session."

## RULING BY THE PRESIDENT

The President: "That is correct, Senator. Your point is well taken."

## POINT OF ORDER

Senator Washington: "I raise the point of order on a different point. I cite Rule 33 which says, 'The permanent joint rules adopted at the regular session shall govern any special session called during the same legislative biennium.' Now we are in a special session and I am reading from the 1973 Rules that were adopted in the regular session. I agree with the President that we do not have any Senate rules but certainly we do continue to have joint rules and Joint Rule 7 specifically states that in every case of difference between the two houses upon any subject of legislation, the house refusing to recede shall request a conference. And certainly under the joint rules which are in effect this would have required a conference rather than having this bill sent back to second reading. And again I point out that I in many cases hesitate to raise a point of order but at this late hour with this very complicated bill I feel it is incumbent to raise a point of order to keep us from very sleepily and belatedly considering these very complex amendments that are being offered to us."

## RULING BY THE PRESIDENT

The President: "Senator Washington, the President respectfully wishes to remind you that the President in all likelihood would have ruled that your point of order was well taken had you presented it at the proper time but it was not presented when the question was before the Senate. Therefore your point of order may be well taken now but not timely. The Senate has acted and returned the measure to second reading."

Senator Washington: "My only point is, the point of order comes when the matter arises on second reading and I felt that this was the timely. Frankly, I have not given it a great deal of thought before but the first time that it comes out on second reading is now. Before that it was not before us and I felt that the only time I could raise it is after it is on second reading and I raised it very shortly after Senator Twigg commenced rather a long talk. I waited until he was through and then again I was somewhat not completely sure of my grounds. I then perused the rule book and thought I was a little better buttressed this time when I made the point of order."

Senator Dore: "Speaking on the point of order raised by Senator Washington, I think the Reed's Rules provides that if Senate ensuing business occurs there is a waiver. There has been no ensuing business, no action has been taken, there has just been a simple motion to adopt these amendments. No action has been taken by the body. As soon as he sat down, Senator Washington then raised the point of order so no action had been taken by the body that I know of unless the Governor might have a . . ."

## RULING BY THE PRESIDENT

The President: "On two points, Senator Dore. Reed's Rules apply only where the Senate Rules do not apply. Inasmuch as we do not have any Senate Rules, therefore the President does not feel especially bound by Reed's Rules. The President has only indicated that Senator Washington's point may have been well taken had he presented it before the Senate acted upon the motion to return the measure to second reading for the purpose of an amendment. The action was upon the motion."

—Senator Dore: "Mr. President, could I make a parliamentary inquiry? Could the Minute Clerk tell if there is any motion to return to second reading? I do not recall that. Was there a motion?"

## REPLY BY THE PRESIDENT

The President: "It was yesterday, Senator Dore. The measure was returned to second reading by action of a majority of the members yesterday and the President wishes to respectfully indicate that the measure is on second reading calendar, second bill on page one."

## POINT OF INQUIRY

Senator Woodall: "I would still like to inquire and I do not have a satisfactory answer and I think it is very important. You can talk about the three-minute rule but this is probably one of the more important matters we are going to have to answer when we go back to our homes. How did we vote on it and why and what is in it? And with all due respect to my great friend Senator Twigg and his fine work on it, I still want to know. Under the definition of a licensee it says someone who is paying a tax. I simply want to know a simple yes or no answer from someone. If a given lodge who is now not paying a tax in a given town, if the city council of that particular city fails to do anything, they pass no ordinance of any kind whatsoever, can that particular nonprofit group continue to do what they are doing now or do they become illegal when this is passed? Now it is a very important consideration for me. Again, in Toppenish we have the Eagles Lodge. They have bingo once a week and will they become illegal if the city council of Toppenish does not adopt some kind of a taxing law? Or if the city council does absolutely nothing, can they continue as they are now doing? I would like to have a positive answer."

Senator Twigg: "Senator Woodall, in answer to your question and for the record, those activities may continue. A tax is not mandated."

Debate ensued.

## PARLIAMENTARY INQUIRY

Senator Dore: "My watch says twelve forty, Mr. President. Is your watch the same?"

## REPLY BY THE PRESIDENT

The President: "The President's watch says twelve thirty-six."

## REMARKS BY SENATOR DORE

Senator Dore: "I notice that the clocks here seem to have stopped at twelve."

## REPLY BY THE PRESIDENT

The President: "It has been the long standing tradition, Senator Dore, that once the Senate commences action upon a measure that the Senate complete that action regardless of the time."

## MOTIONS

Senator Dore moved that the amendments by Senator Twigg to Engrossed Substitute House Bill No. 711 be considered separately.

The motion failed.

The motion by Senator Twigg carried and the amendments proposed by Senator Twigg are to be considered simultaneously.

Senator Twigg moved adoption of the preceding amendments.

Debate ensued.

## POINT OF INQUIRY

Senator Woodall: "Will Senator Twigg further yield? Two questions, Senator Twigg. The commission, is that a salaried job or a per diem or what is it under this?"

Senator Twigg: "Per diem and travel expenses, Senator Woodall."

Senator Woodall: "And one more question. Did you or your committee receive—you said you had been talking with the Governor—assurance that if we pass it this way that he will leave it alone and he will not take the pencil and chuck out certain things, because we are giving up the right of certain private clubs that they now have not to be taxed, and we

are subjecting them and willing to do it if we are extending it to other groups. I would like to know. Do you have assurance or is he going to pencil it all out like the other time?"

Senator Twigg: "That is a very good question, Senator Woodall, and that was the reason that I wanted to meet with him and hopefully come to you and be able to tell you that I could assure you that he would accept these amendments and the bill in the amended form with these amendments adopted that I have offered. I cannot, however, make that firm assurance. I can only tell you that he indicated to me in response to a specific question that he personally had no objection to bingo, raffles, pull-tabs, the amusement devices we have described. The social card games he responded with a maybe. So I cannot give you a cold hard answer on that, Senator."

The motion by Senator Twigg carried and the preceding amendments were adopted.

On motion of Senator Twigg, the following amendments by Senators Twigg and Fleming were adopted:

On page 12, section 3, line 18 after "card games," and before "to utilize" in line 19 insert "including 'Mah Jongg,' "

On page 12, section 3, line 25 after "operate cardrooms" and before "and pinball" insert ", including those where Mah Jongg may be played."

On page 16, section 7, line 17 after "card games," and before "to utilize" insert "including Mah Jongg,"

On page 17, section 7, line 3 after "card rooms" and before "and pinball" insert ", including those where Mah Jongg may be played,"

On page 12, line 15 following subsection 21 insert the following new subsection:

(2) "Mah Jongg" means a game of Chinese origin played, usually by four persons, with one hundred thirty-six or one hundred forty-four pieces marked in suits and called "tiles" which by drawing, discarding and exchanging are built into combinations or sets."

Senator Stortini moved adoption of the following amendments by Senators Stortini, Van Hollebeke and Herr:

On page 31, on line 6 after "through" and before "of" strike "28" and insert "46".

On page 31, on line 8 insert the following:

"*NEW SECTION.* Sec. 31. The purpose of sections 31 through 46 is to establish a lottery to be operated by the state of Washington.

*NEW SECTION.* Sec. 32. As used in this chapter unless the context requires otherwise:

(1) "Commission" shall mean the state gambling commission established by section 4 of this act;

(2) "Lottery" or "state lottery" shall mean the lottery established and operated pursuant to this chapter;

(3) "Director" shall mean the director of the state lottery.

*NEW SECTION.* Sec. 33. There is hereby established in the department of revenue a division of the lottery, which shall include a director.

No employee of the division shall directly or indirectly, individually or as a member of a partnership or as a shareholder of a corporation, have any interest whatsoever in dealing in any lottery, or in the ownership or leasing of any property or premises used by or for any lottery.

*NEW SECTION.* Sec. 34. The division shall be under the immediate supervision and direction of a director, who shall be a person qualified by training and experience to direct the work of such a division. The director shall be appointed by the governor from a list of five qualified applicants submitted by the lottery commission. He shall serve at the pleasure of the governor.

Any vacancy occurring in the office of the director shall be filled in the same manner as the original appointment.

The director shall devote his full time and attention to the duties of his office and shall not engage in any other profession or occupation. He shall receive an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040.

*NEW SECTION.* Sec. 35. In addition to the duties enumerated in section 7 of this act the commission, in accordance with chapter 34.04 RCW, the commission shall have the power to promulgate, amend, and repeal rules and regulations regarding, but not limited to:

(1) The type of lottery to be conducted;



- (2) The price, or prices, of tickets in the lottery;
- (3) The numbers and sizes of the prizes on the winning tickets;
- (4) The manner of selecting the winning tickets;
- (5) The manner of payment of prizes to the holders of winning tickets;
- (6) The frequency of the drawings or selections of winning tickets;
- (7) Without limit as to number, the type or types of locations at which tickets may be sold;
- (8) The method to be used in selling tickets;
- (9) Subject to the provisions of section 37 of this act, the licensing of agents to sell tickets: PROVIDED, That no person under the age of eighteen shall be licensed as an agent;
- (10) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets to prospective buyers and for the convenience of the public.

In addition the commission shall have the power to:

(11) Advise and make recommendations to the director regarding the operation and administration of the lottery;

(12) Report monthly to the governor the total lottery revenues, prize disbursements and other expenses for the preceding month. Make an annual report to the governor and the legislature which should include a full and complete statement of lottery revenues, prize disbursements and all other expenses, plus any recommendations for changes in this chapter the commission deems necessary and desirable;

(13) Carry on a continuous study and investigation of lottery operations throughout this state, similar lottery laws in other states, all federal laws which affect lottery operations and citizen reaction to existing and potential features of the lottery, in order (a) to ascertain any defects in the state lottery law or in the rules and regulations issued thereunder whereby any abuse in the administration and operation of the lottery or any evasion of said law or said rules and regulations may arise or be practiced; (b) to formulate recommendations for changes and innovations in said law and rules and regulations promulgated thereunder to prevent such abuses and evasions to better serve and implement the purposes of the state lottery; and (c) to guard against the use of said law and rules and regulations issued thereunder as a cloak for the carrying on of organized gambling and crime;

(14) The commission shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before it in any matter over which it has jurisdiction, control and supervision. The commission shall have the power to administer oaths and affirmations to persons whose testimony is required. If a person subpoenaed to attend in any such proceeding or hearing fails to obey the command of the subpoena without reasonable cause, or if a person in attendance in any such proceeding or hearing refuses, without lawful cause, to be examined or to answer a legal and pertinent question or to exhibit any book, account, record or other document when ordered to do so by the commission, the commission may apply to any judge of the superior court, upon proof by affidavit of the facts, for an order directing such person to show cause before the court why he should not comply with such subpoena or such order.

Upon return of the order, the court before whom the matter shall come for hearing shall examine such persons under oath, and if the court shall determine, after giving such person an opportunity to be heard, that he refused without legal excuse to comply with such subpoena or such order, the court may order this person to comply therein forthwith and any failure to obey the order of the court may be punished as a contempt of the superior court;

**NEW SECTION.** Sec. 36. The director shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules and regulations of the commission.

(2) Subject to the approval of the commission, appoint such deputy directors and such other professional, technical and clerical assistants and employees as may be necessary pursuant to chapter 41.06 RCW.

(3) Act as secretary and executive officer of the (3) in accordance with the provisions of this chapter and the rules and regulations of the commission, license as agents to sell

lottery tickets such persons as in his opinion will serve the public convenience and promote the sale of such tickets. The director may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the commission.

(4) Confer as regularly as is necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files and other information and documents of the division; advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery.

(5) Suspend or revoke any lottery license issued pursuant to this chapter or the rules and regulations promulgated thereunder.

(6) Subject to the approval of the commission and the applicable laws relating to public contracts, to enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission.

(7) Certify monthly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements and other expenses for the preceding month.

*NEW SECTION.* Sec. 37. Before issuing such license the director shall consider such factors as (1) the financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

In addition, no license shall be issued to any person to engage in business exclusively as a lottery ticket agent, or to anyone who has violated any rule, regulation or order of the commission.

Any three persons objecting to the issuance of a license, or any person applying for and being denied such a license, may request and be granted a public hearing before the lottery commission.

For the purpose of this section, the term "person" shall be construed to mean and include an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" shall also be construed to mean and include all departments, commissions, agencies and instrumentalities of the state, including counties and municipalities and agencies and instrumentalities thereof.

No federal employee and no state, county or municipal employee, or member of their immediate family shall sell or be issued a license to sell lottery tickets.

Notwithstanding any other provision of law, any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

*NEW SECTION.* Sec. 37. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and, except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The director shall be discharged of all further liability upon payment of a prize pursuant to this section.

*NEW SECTION.* Sec. 38. No person shall sell a lottery ticket at a price greater than that fixed by rule or regulation of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to prevent any person from giving lottery tickets to another as a gift.

Any person convicted of violating this section shall be guilty of a gross misdemeanor and shall be punished by imprisonment for not more than one year or by a fine of not more than ten thousand dollars or both.

*NEW SECTION.* Sec. 39. No tickets shall be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years or older to a person less than that age. Any licensee

or the employee or agent of any licensee who sells or offers to sell a lottery ticket to any person under the age of eighteen shall be guilty of a gross misdemeanor.

All officers and personnel of the division and their immediate families shall be prohibited from purchasing lottery tickets and ineligible for all prizes.

*NEW SECTION.* Sec. 40. Anyone who fails to comply or attempts to evade any rule or regulation of the commission with regard to licensing, ticket accounting, claims validation or the handling of lottery receipts, or who wilfully makes any false statement or any false entry in any book or record required to be maintained by the commission or in any report required to be submitted by the commission, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars or both.

*NEW SECTION.* Sec. 41. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or acts performed pursuant to this chapter.

*NEW SECTION.* Sec. 42. Unclaimed prize money for the prize on a winning ticket shall be retained by the director for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within this year, the prize money shall be paid into the state lottery fund and allocated for purposes as otherwise here provided.

*NEW SECTION.* Sec. 43. (1) There shall be a fund, known as the "state lottery fund", which shall consist of all moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change funds and an amount of petty cash as fixed by the commission within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the state lottery fund. Disbursements from the fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the state lottery fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund.

(2)(a) Such moneys, to the extent necessary, shall be used for the payment of lottery prizes, and (b) for the expenses of the commission in administering and operating the lottery, but the amount so used shall in no event exceed forty-five percent and fifteen percent respectively. The balance of this fund, in no event less than forty percent of the total amount, shall be credited to the state general fund.

*NEW SECTION.* Sec. 44. The director may, in his discretion, require any or all lottery agents to deposit to the credit of the state lottery fund in banks, designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets, less the amount, if any, retained as compensation for the sale of the tickets, and to file with the division reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements as he deems advisable pursuant to this chapter and the rules and regulations of the commission, and such functions, activities and services shall constitute lawful functions, activities and services of the director.

*NEW SECTION.* Sec. 45. The state auditor shall conduct an annual post audit of the lottery division, its procedures and transactions. The post audit report shall be submitted to the governor, the lottery commission and the legislature.

*NEW SECTION.* Sec. 46. All state agencies, departments and political subdivisions shall cooperate with the director and the lottery commission in carrying out their legally prescribed duties."

#### POINT OF ORDER

Senator Atwood: "My point of order is this, that he is offering the lottery bill. This increases the scope and object of this particular bill.

"Mr. President, the bill before us is related to bingo, raffles and punch boards and the amendment being offered by Senator Stortini is a state lottery which includes a state lottery

commission and it is more than an amusement device. It is a state lottery. It is an entirely different concept than the thing that we have been talking about the last half hour and I do think it does increase the scope and object of the bill in light of the President's prior ruling."

#### RULING BY THE PRESIDENT

The President: "In ruling upon the point of order as presented by Senator Atwood in regard to Engrossed Substitute House Bill No. 711, the President believes that the bill establishes rules for statewide gambling which includes several forms of lotteries and that the amendment presented by Senator Stortini is merely another type of lottery and thus the point is not well taken."

The motion by Senator Stortini failed and the amendments were not adopted on a rising vote.

On motion of Senator Van Hollebeke, the following amendment was adopted:

On page 13, section 4, line 11, after "members" strike all the material down through and including "range," on line 12.

#### POINT OF INQUIRY

Senator Canfield: "Will Senator Twigg yield? Senator Twigg, I understand that the permit would be issued by the commission. Right?"

Senator Twigg: "That is correct."

Senator Canfield: "That the tax would be levied either by the first class city . . ."

Senator Twigg: "That is correct."

Senator Canfield: "Or by the county commissioners."

Senator Twigg: "That is correct."

Senator Canfield: "And if by the county commissioners would cover all the county not within the first class city?"

Senator Twigg: "That is correct."

Senator Canfield: "The maximum tax rate would be ten percent?"

Senator Twigg: "That is correct."

Senator Canfield: "And that no community within the county, like for instance Sunnyside or Toppenish or Grandview which is not a first class city, they would have no veto power within the county?"

Senator Twigg: "I think you mean within the city and the answer is . . ."

Senator Canfield: "Within those cities?"

Senator Twigg: "That is correct."

Senator Canfield: "So there would be no local option?"

Senator Twigg: "Except in first class cities."

Senator Canfield: "Except in first class cities?"

Senator Twigg: "That is correct."

#### POINT OF INQUIRY

Senator Woodall: "One more question. The sort of thing we discussed the other day, your service club that customarily has a draw, that sort of thing, where you come to lunch and everyone throws four bits in a hat and half of it goes to the crippled kids and the other half goes to whoever had the lucky ticket. How does that fare under this particular bill?"

Senator Twigg: "Those are legalized, Senator. You are talking about a raffle."

Senator Woodall: "I am talking about a typical situation, here is a Kiwanis Club, we will say. So some of them play one game of bingo once a week and they all throw in fifty cents and half of it goes to whoever bingos and the other half goes to some creditable fund. Or they have a draw. Now, will a service club have to have some kind of a license to continue to do what they have been doing under this bill?"

Senator Twigg: "That is correct. They will."

Senator Woodall: "They will have to get a license?"

Senator Twigg: "That is true."

Senator Woodall: "So the Kiwanis Club to have a noon draw to buy a two-bit ticket apiece, they have to go over here and get some kind of a license?"

Senator Twigg: "That is true. It will be a very, very modest cost and they will have no problem getting one, but the answer to your question is yes."

Senator Dore moved adoption of the following amendment:

On page 25, section 19, line 3, strike lines 3 through 6 and insert: "Shall be guilty of a felony".

The motion by Senator Dore failed on a rising vote.

Senator Dore moved adoption of the following amendment:

On page 31, following section 23, insert the following:

"*NEW SECTION.* Sec. 24. That the provisions of this act shall not go into effect until approved by the people of the state at the next general election."

Debate ensued.

The motion by Senator Dore failed and the amendment was not adopted.

On motion of Senator Twigg, Engrossed Substitute House Bill No. 711, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### REMARKS BY SENATOR TWIGG

Senator Twigg: "Mr. President and members of the Senate, observing the thirty second rule that I think should be in force at this time, I engage in virtually none of the activities encompassed by this bill. I do not represent anybody who does. You can vote it up or down. I would remind you it requires a sixty percent vote to approve Engrossed Substitute House Bill No. 711 with the amendments that we have appended and in the posture it is now in. I would urge your favorable vote."

Debate ensued.

#### POINT OF INQUIRY

Senator Walgren: "Will Senator Twigg yield to a question please? Senator Twigg, in the preparation of the amendments to this bill, was the Attorney General of this state actively involved?"

Senator Twigg: "Not in the physical preparation of the amendments, no he was not, Senator."

Senator Walgren: "Was his office involved in the preparation?"

Senator Twigg: "No, they were not."

Senator Walgren: "Did you have any advice at all from the Attorney General's office concerning this?"

Senator Twigg: "Yes, he was with us at the meeting earlier this evening, as was myself, Representative Kuehnle, the Governor and one of the Governor's attorneys, Mr. Bright, and the Republican caucus attorney, Mr. Gross."

Senator Walgren: "And does this bill as it is now perfected have his approval?"

Senator Twigg: "Well, Senator Woodall asked me that question earlier and I cannot give you a firm assurance. He indicated to me that he sees nothing objectionable in the area of bingo, raffles, pull-tabs, punch boards, the amusement device, I suppose you could call it a pinball type of activity, the flipper type. He answered me with regard to social card games with a maybe."

Senator Walgren: "Does he feel that the controls that have been placed in the bill are adequate?"

Senator Twigg: "Yes, I believe that they do. They feel it is a pretty strict, innocuous bill."

Senator Walgren: "Thank you."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill

No. 711, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 12; absent or not voting, 2; excused, 4.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Day, Donohue, Fleming, Gardner, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Marsh, Matson, Mattingly, Newschwander, Odegaard, Peterson (Lowell), Ridder, Scott, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall—31.

Voting nay: Senators Atwood, Dore, Durkan, Mardesich, Metcalf, Murray, Peterson (Ted), Sandison, Sellar, Washington, Whetzel, Woody—12.

Absent or not voting: Senators Grant, Rasmussen—2.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, as amended by the Senate, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Twigg, Engrossed Substitute House Bill No. 711, as amended by the Senate, was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2328, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

April 15, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred Substitute Senate Bill No. 2328, adopting the operations and capital improvements budget for the state highway commission, have had the same under consideration, and we recommend that the bill be adopted as amended with the following changes; and respectfully request the powers of Free Conference:

The amendment beginning on page 5, section 3, line 11 will be changed as follows:

On line 10 of the amendment before "be" strike "will" and insert "may".

On line 11 of the amendment after "purposes" strike "and Seattle-Bremerton ferry system service shall not be compromised during the demonstration period" and insert "PROVIDED, HOWEVER, The ferry service existing at the time of the adoption of this 1973 Act serving Bremerton and Seattle and Winslow and Seattle shall not be diminished without the approval of the toll bridge authority, the legislative transportation committee, and the standing committees on transportation and utilities of the House and Senate".

On line 22 of the amendment, after "inter-modal" and before "project" insert "demonstration".

On line 27 of the amendment, after "all" and before "equipment" insert "capital".

On line 29 of the amendment, strike "for submission to the legislature" and insert "with the cooperation and approval of the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate, which recommendation shall be submitted to the next following session of the legislature".

On line 33 of the amendment, after "presented" and before "to" insert "by July 1, 1973".

On line 34 of the amendment, after "committee and" strike "/or".

On line 35 of the amendment, after "transportation" add "and utilities of the House and Senate".

On line 36 of the amendment, after "approval" and before the period strike "by July 1, 1973".

Beginning on page 6, beginning on line 9 of the amendment after "committee" and before "to" strike "or" and insert "and".

In subsection (1) of the amendment, on line 12 after "commission" and before "shall" insert "with the cooperation of the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate".

In subsection (3) of the amendment, on line 3 after "sion" and before "the" insert "and the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate".

Signed by: Senators Sandison and Guess; Representatives Perry, Beck and Berentson.

#### MOTION

On motion of Senator Sandison, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has passed SENATE BILL NO. 2353, with the following amendment:

On page 3, section 4, line 8 after "sheets of" strike all material down to and including "newsprint," on line 9 and insert "[white] paper of good *writing* quality," and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### MOTION

On motion of Senator Mardesich, the Senate concurred in the House amendment to Senate Bill No. 2353.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2353, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 5; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Fleming, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall—40.

Absent or not voting: Senators Durkan, Gardner, Matson, Rasmussen, Woody—5.

Excused: Senators Bottiger, Francis, Greive, Talley—5.

SENATE BILL NO. 2353, 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 HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2866, with the following amendments:

On page 1, line 7 of the title of the engrossed bill, being line 10, page 4 of the Senate committee amendment, after "66.24.210;" insert "adding a new section to chapter 66.24 RCW;"

On page 3, section 2, line 8 of the engrossed bill, being page 3, line 8 of the Senate committee amendment, after "sold to" strike all material down to and including "*and by*" added by the Senate amendment by Senator Durkan to page 3, line 4, and insert "[retail licensees,] *wine wholesalers and*".

On page 3, section 2, line 16 of the engrossed bill, being page 3, line 11 of the Senate committee amendment, before "*by wine*" strike "sales" and insert "[sales] *purchased*".

On page 3, section 2, line 16 of the engrossed bill, being page 3, line 11 of the Senate committee amendment, after "Every person" strike "selling" and insert "[selling] *purchasing*".

On page 3, section 2, line 20 of the engrossed bill, being page 3, line 15 of the Senate committee amendment, after "from the" strike "sales" and insert "[sales] *purchases*".

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

"*NEW SECTION.* Sec. 3. There is hereby added to chapter 66.24 RCW a new section to read as follows:

There is hereby imposed upon every licensed wine wholesaler who possesses wine for resale upon which the tax has not been paid under section 2 of this 1973 amendatory act, a floor stocks tax of sixty-five cents per wine gallon on wine in his possession or under his control on June 30, 1973. Each such wholesaler shall within twenty days after June 30, 1973, file a report with the Washington State liquor control board in such form as the board may prescribe, showing the wine products on hand July 1, 1973, converted to gallons thereof and the amount of tax due thereon. The tax imposed by this section shall be due and payable within twenty days after July 1, 1973, and thereafter bear interest at the rate of one percent per month."

Re-number remaining section accordingly., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

#### MOTION

On motion of Senator Peterson (Ted), the Senate concurred in the House amendments to Engrossed Senate Bill No. 2866.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2866, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 34; nays, 7; absent or not voting, 4; excused, 4.

Voting yea: Senators Bailey, Canfield, Clarke, Day, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Herr, Jolly, Jones, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Marsh, Mattingly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Woodall—34.

Voting nay: Senators Atwood, Metcalf, Ridder, Sandison, Scott, Washington, Whetzel—7.

Absent or not voting: Senators Connor, Matson, Rasmussen, Woody—4.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2866, 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 HOUSE

April 15, 1973.

Mr. President: The House has passed SENATE BILL NO. 2570, with the following amendment:

On page 6, section 3, lines 7 and 8, after "*to*" strike "*10 U.S.C. sections 3911 or 3914*" and insert the following: "*Title 10 United States Code*", and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.



## MOTION

On motion of Senator Henry, the Senate concurred in the House amendment to Senate Bill No. 2570, as amended by the House.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2570, and the bill passed the Senate by the following vote: Yeas, 36; nays, 2; absent or not voting, 7; excused, 4.

Voting yea: Senators Bailey, Canfield, Clarke, Day, Donohue, Dore, Gardner, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall, Woody—36.

Voting nay: Senators Atwood, Newschwander—2.

Absent or not voting: Senators Connor, Durkan, Fleming, Jones, Lewis (Bob), Rasmussen, Whetzel—7.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

SENATE BILL NO. 2570, 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 PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 2554,  
SUBSTITUTE SENATE BILL NO. 2586,  
SENATE CONCURRENT RESOLUTION NO. 136.

## SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 2352,  
SUBSTITUTE SENATE BILL NO. 2748,  
SUBSTITUTE SENATE BILL NO. 2800,  
SENATE BILL NO. 2803.

## MESSAGES FROM THE HOUSE

April 15, 1973.  
Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2762, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The House has passed:

SENATE BILL NO. 2036,  
ENGROSSED SENATE BILL NO. 2146, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has adopted the report of the Conference Committee on HOUSE BILL NO. 590, and has passed the bill with the Senate amendments.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has adopted ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 2854, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has passed:  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2099,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2600,  
SUBSTITUTE SENATE BILL NO. 2741, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 445, and has passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 498, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 498, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House concurred in the Senate amendment to HOUSE BILL NO. 957, and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 2099,  
SENATE BILL NO. 2425,  
SUBSTITUTE SENATE BILL NO. 2600,  
SENATE BILL NO. 2614,  
SENATE BILL NO. 2621,  
SUBSTITUTE SENATE BILL NO. 2741.

## MESSAGES FROM THE HOUSE

April 14, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 52,  
SUBSTITUTE HOUSE BILL NO. 64,  
HOUSE BILL NO. 160,  
HOUSE BILL NO. 164,  
SUBSTITUTE HOUSE BILL NO. 208,  
HOUSE BILL NO. 252,  
HOUSE BILL NO. 361,

HOUSE BILL NO. 362,  
 HOUSE BILL NO. 420,  
 HOUSE BILL NO. 422,  
 SUBSTITUTE HOUSE BILL NO. 429,  
 HOUSE BILL NO. 442,  
 HOUSE BILL NO. 444,  
 HOUSE BILL NO. 485,  
 HOUSE BILL NO. 531,  
 HOUSE BILL NO. 564,  
 SUBSTITUTE HOUSE BILL NO. 674,  
 HOUSE BILL NO. 698,  
 HOUSE BILL NO. 721,  
 HOUSE BILL NO. 731,  
 HOUSE BILL NO. 769,  
 SUBSTITUTE HOUSE BILL NO. 862,  
 HOUSE BILL NO. 928,  
 HOUSE BILL NO. 1008,  
 SUBSTITUTE HOUSE BILL NO. 1034,  
 SUBSTITUTE HOUSE BILL NO. 1055,  
 HOUSE BILL NO. 1099,  
 HOUSE BILL NO. 1105,  
 HOUSE JOINT MEMORIAL NO. 1,  
 HOUSE CONCURRENT RESOLUTION NO. 18, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:  
 SUBSTITUTE HOUSE BILL NO. 340,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed:  
 SENATE BILL NO. 2045,  
 SUBSTITUTE SENATE BILL NO. 2247,  
 SENATE BILL NO. 2361,  
 SENATE BILL NO. 2491,  
 SENATE BILL NO. 2672,  
 SUBSTITUTE SENATE BILL NO. 2739,  
 SENATE BILL NO. 2790, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:  
 SENATE BILL NO. 2309,  
 SUBSTITUTE SENATE BILL NO. 2717,  
 SENATE BILL NO. 2805,  
 SUBSTITUTE SENATE BILL NO. 2897, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed HOUSE JOINT RESOLUTION NO. 37, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 76,

HOUSE BILL NO. 161,

HOUSE BILL NO. 305,

SUBSTITUTE HOUSE BILL NO. 323,

HOUSE BILL NO. 363,

HOUSE BILL NO. 648, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2096,

SENATE BILL NO. 2382,

SENATE BILL NO. 2452,

SENATE BILL NO. 2504,

SUBSTITUTE SENATE BILL NO. 2736, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 847,

HOUSE BILL NO. 1007,

SUBSTITUTE HOUSE BILL NO. 1060,

HOUSE BILL NO. 1061,

HOUSE JOINT MEMORIAL NO. 21,

HOUSE JOINT RESOLUTION NO. 22, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 14, 1973.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 993, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 174, and passed the bill as amended by the Senate.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 197,

SUBSTITUTE HOUSE BILL NO. 419,

SUBSTITUTE HOUSE BILL NO. 903,

HOUSE BILL NO. 957,

HOUSE BILL NO. 1108, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The House has passed SENATE BILL NO. 2890, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House has adopted ENGROSSED SENATE CONCURRENT RESOLUTION NO. 134, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE CONCURRENT RESOLUTION NO. 135, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2119, with the following amendment:

On page 5, line 12 insert:

"*NEW SECTION*. Sec. 8. It is the intent of this 1973 amendatory act that the retirement income resulting from the contributions described herein from the state of Washington and the employee shall be projected actuarially so that it shall not exceed sixty percent of the average of the highest two consecutive years salary. Periodic review of the retirement systems established pursuant to this act will be undertaken at such time and in such manner as determined by the committees on ways and means of the Senate and of the House of Representatives and the public pension commission, and joint contribution rates will be adjusted if necessary to accomplish this intent."

Renumber the following sections consecutively., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## MOTION

Senator Ridder moved that the Senate do concur in the House amendment to Engrossed Senate Bill No. 2119.

## POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Atwood yield? Senator Atwood, I think you have followed this bill quite closely. Does this House amendment that we are considering apply only to higher education personnel?"

Senator Atwood: "This amendment and this bill applies only to those members who are members of TIAA-CREF which applies to the four-year colleges and universities and the community colleges. It is a nationwide system and has nothing to do with PERS or TRS."

Senator Peterson (Lowell): "Thank you, Senator."

The motion by Senator Ridder carried and the Senate concurred in the House amendment to Engrossed Senate Bill No. 2119.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2119, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 6; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Dore, Durkan, Fleming, Gardner, Grant, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Marsh, Matson, Mattingly, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Twigg, Walgren, Washington, Whetzel, Woodall—38.

Voting nay: Senator Van Hollebeke—1.

Absent or not voting: Senators Connor, Day, Herr, Lewis (Harry), Wanamaker, Woody—6.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED SENATE BILL NO. 2119, 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 PRESIDENT

The President signed:

SENATE BILL NO. 2036,  
 SENATE BILL NO. 2119,  
 SENATE BILL NO. 2146,  
 SENATE BILL NO. 2353,  
 SENATE BILL NO. 2522,  
 SENATE BILL NO. 2570,  
 SENATE BILL NO. 2762,  
 SENATE BILL NO. 2841,  
 SUBSTITUTE SENATE BILL NO. 2854,  
 SENATE BILL NO. 2866,  
 SENATE BILL NO. 2890,  
 SENATE CONCURRENT RESOLUTION NO. 108,  
 SENATE CONCURRENT RESOLUTION NO. 134,  
 SENATE CONCURRENT RESOLUTION NO. 135.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 1049, by Committee on Labor (originally sponsored by Representatives Parker and Savage):

Requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries.

## MOTIONS

On motion of Senator Mardesich, Substitute House Bill No. 1049 was re-referred to the Committee on Rules.

On motion of Senator Mardesich, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 186, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 186, by Representative Randall:  
 Relating to revenue and taxation.

## MOTIONS

On motion of Senator Atwood, Engrossed House Bill No. 186 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, Engrossed House Bill No. 186 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Bailey: "Would Senator Durkan yield? Senator, is there any substantive change in any tax in this bill that was not in the original bill that we sent over to the House or in the bill that came back? Is there any great change between these two bills? We studied the

bill we sent over, the one mill shift and we also studied the bill that came back to us from the House, but has anything else been added to this bill that we should be aware of?"

Senator Durkan: "Senator, the immediate law which will take effect immediately is the Substitute Senate Bill No. 2346 which we considered, and the one which will take effect in the future is the House bill which does change the allocation formula on the local level."

#### REMARKS BY SENATOR ATWOOD

Senator Atwood: "The House amendment that came back to us on Substitute Senate Bill No. 2346 had a lot of errors in it and some of those have been cleaned up in the version as it sits here before you. The library thing, for example, the double amendment on the forest assessment patrol tax. There is a whole host of things that have to be looked at on the House version, the House amendment that is the second part of this bill, but that does not go into effect until July 1, 1975. The House did amend out on the floor, which you should be aware of, the following sections: 153, 4, 5 and 6, which is the reference of the income tax on utilities and utilities sales tax. Those were taken out on the House floor by a floor amendment."

#### POINT OF INQUIRY

Senator Guess: "Would Senator Atwood yield? Senator Atwood, on page 76 in section 86, it changes the one-eighth of a mill to one and one-quarter cents per thousand dollars of assessed valuation."

Senator Atwood: "Yes."

Senator Guess: "Now, and says it can go to not greater than thirty cents per thousand dollars of assessed valuation. Are we now going to leave the millage?"

Senator Atwood: "No, the House amendment to Substitute Senate Bill No. 2346 was one hundred and forty pages and it changed all the millage to dollars and cents and what you are reading there is part of their one hundred and forty page amendment that was tacked on to Substitute Senate Bill No. 2346. You will find the conversion figures all the way through here of the millage to dollars and cents. From the front part. They did not touch Substitute Senate Bill No. 2346 in that regard."

#### REMARKS BY SENATOR MARDESICH

Senator Mardesich: "It might also be well to note that at least for the second year when the House version takes over there will be in effect some property tax relief, not too significantly so but there is some property tax relief in this measure for the second year of its application."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 186, and the bill passed the Senate by the following vote: Yeas, 26; nays, 18; absent or not voting, 1; excused, 4.

Voting yea: Senators Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Grant, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stortini, Twigg, Van Hollebeke, Walgren, Washington—26.

Voting nay: Senators Atwood, Clarke, Fleming, Gardner, Guess, Jones, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Murray, Newschwander, Rasmussen, Scott, Sellar, Wanamaker, Whetzel, Woodall—18.

Absent or not voting: Senator Woody—1.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

ENGROSSED HOUSE BILL NO. 186, having received the 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 PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 52,  
SUBSTITUTE HOUSE BILL NO. 64,  
HOUSE BILL NO. 160,  
HOUSE BILL NO. 164,  
SUBSTITUTE HOUSE BILL NO. 208,  
HOUSE BILL NO. 252,  
HOUSE BILL NO. 361,  
HOUSE BILL NO. 362,  
HOUSE BILL NO. 420,  
HOUSE BILL NO. 422,  
SUBSTITUTE HOUSE BILL NO. 429,  
HOUSE BILL NO. 442,  
HOUSE BILL NO. 444,  
HOUSE BILL NO. 485,  
SUBSTITUTE HOUSE BILL NO. 498,  
HOUSE BILL NO. 531,  
HOUSE BILL NO. 564,  
SUBSTITUTE HOUSE BILL NO. 674,  
HOUSE BILL NO. 698,  
HOUSE BILL NO. 721,  
HOUSE BILL NO. 731,  
HOUSE BILL NO. 769,  
SUBSTITUTE HOUSE BILL NO. 862,  
HOUSE BILL NO. 928,  
HOUSE BILL NO. 1008,  
SUBSTITUTE HOUSE BILL NO. 1034,  
SUBSTITUTE HOUSE BILL NO. 1055,  
HOUSE BILL NO. 1099,  
HOUSE BILL NO. 1105,  
HOUSE JOINT MEMORIAL NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 18.

## SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 197,  
SUBSTITUTE HOUSE BILL NO. 340,  
SUBSTITUTE HOUSE BILL NO. 419,  
SUBSTITUTE HOUSE BILL NO. 435,  
SUBSTITUTE HOUSE BILL NO. 903,  
HOUSE BILL NO. 957,  
SUBSTITUTE HOUSE BILL NO. 993,  
HOUSE JOINT MEMORIAL NO. 21,  
HOUSE JOINT RESOLUTION NO. 22,  
HOUSE JOINT RESOLUTION NO. 37.

## SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 76,  
HOUSE BILL NO. 161,  
HOUSE BILL NO. 305,  
SUBSTITUTE HOUSE BILL NO. 323,  
HOUSE BILL NO. 363,  
HOUSE BILL NO. 648,



HOUSE BILL NO. 847,  
 HOUSE BILL NO. 1007,  
 SUBSTITUTE HOUSE BILL NO. 1060,  
 HOUSE BILL NO. 1061,  
 HOUSE BILL NO. 1108.

## MOTION

On motion of Senator Mardesich, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 2328, and has passed the bill as amended by the Free Conference Committee., and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## REPORT OF FREE CONFERENCE COMMITTEE

April 15, 1973.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2328, adopting the operations and capital improvements budget for the state highway commission, have had the same under consideration, and we recommend that the bill be adopted as amended with the following changes:

The amendment beginning on page 5, section 3, line 11 will be changed as follows:

On line 10 of the amendment before "be" strike "will" and insert "may".

On line 11 of the amendment, after "purposes" strike "and Seattle-Bremerton ferry system service shall not be compromised during the demonstration period" and insert "PROVIDED, HOWEVER, The ferry service existing at the time of the adoption of this 1973 Act serving Bremerton and Seattle and Winslow and Seattle shall not be diminished without the approval of the toll bridge authority, the legislative transportation committee, and the standing committees on transportation and utilities of the House and Senate".

On line 22 of the amendment, after "inter-modal" and before "project" insert "demonstration".

On line 27 of the amendment, after "all" and before "equipment" insert "capital".

On line 29 of the amendment, strike "for submission to the legislature" and insert "with the cooperation and approval of the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate, which recommendation shall be submitted to the next following session of the legislature".

On line 33 of the amendment, after "presented" and before "to" insert "by July 1, 1973".

On line 34 of the amendment, after "committee and" strike "/or".

On line 35 of the amendment, after "transportation" add "and utilities of the House and Senate".

On line 36 of the amendment, after "approval" and before the period strike "by July 1, 1973".

Beginning on page 6, beginning on line 9 of the amendment after "committee" and before "to" strike "or" and insert "and".

In subsection (1) of the amendment, on line 12 after "commission" and before "shall" insert "with the cooperation of the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate".

In subsection (3) of the amendment, on line 3 after "sion" and before "the" insert "and the legislative transportation committee and the standing committees on transportation and utilities of the House and Senate".

Signed by: Senators Sandison and Guess; Representatives Perry, Beck and Berentson.

## MOTION

Senator Sandison moved that the report of the Free Conference Committee on Substitute Senate Bill No. 2328 be adopted.

## POINT OF INQUIRY

Senator Rasmussen: "Will Senator Sandison yield to a question? Did I understand you correctly, Senator Sandison, that we are going to buy the hydrofoil so the Governor can take the visiting governors for a ride at a rate of two million nine hundred and twenty-eight thousand dollars, plus the tax, plus buying the landing areas for both of those flying boats?"

Senator Sandison: "No. That is the end of your question?"

Senator Rasmussen: "As I read the bill that is what it says in there, yes. I am wondering if the Conference Committee took it out as the Senate directed. The Senate in their version of the bill struck the hydrofoils as being of no use in that run over to Bremerton."

Senator Sandison: "It was the feeling of the Conference Committee on this that ferries are very expensive and they are large and automobile ferries do not particularly serve the needs of the foot commuter. We are trying to, because of the environmental bingé this country is on, cut down the use of automobiles as much as possible. It was felt, based on that, that an experimental hydrofoil, particularly with the heavy federal involvement in it, would probably be worthwhile."

Senator Rasmussen: "What you are saying, Senator, it is all right to throw away federal dollars. Could you tell me how many passengers these ferries, these flying boats will carry?"

Senator Sandison: "There are various sizes. The one that is being contemplated here will hold about one hundred passengers."

Senator Rasmussen: "I thought it was two hundred. That is my understanding, two hundred passengers. And the ferry boats that they are presently using are carrying a capacity load of two thousand to three thousand?"

Senator Sandison: "No, as a matter of fact the average ferry run across Puget Sound generally has about one hundred sixty to one hundred and sixty-five cars."

Senator Rasmussen: "Oh, well then, we will get rid of the ferries then? They are being wasted?"

Senator Sandison: "No. It is contemplated that the ferry system will continue to grow but there will still be a need for commuter foot traffic passage."

The motion by Senator Sandison carried and the report of the Free Conference Committee on Substitute Senate Bill No. 2328 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 2328, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 26; nays, 15; absent or not voting, 4; excused, 4.

Voting yea: Senators Bailey, Canfield, Day, Donohue, Dore, Durkan, Gardner, Grant, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis (Harry), Lewis (Bob), Matson, Mattingly, Metcalf, Odgaard, Ridder, Sandison, Sellar, Twigg, Wanamaker, Washington—26.

Voting nay: Senators Atwood, Clarke, Fleming, Jones, Mardesich, Marsh, Murray, Peterson (Ted), Rasmussen, Scott, Stortini, Van Hollebeke, Walgren, Whetzel, Woodall—15.

Absent or not voting: Senators Connor, Newschwander, Peterson (Lowell), Woody—4.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

SUBSTITUTE SENATE BILL NO. 2328, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Mardesich, the following Senate Floor Resolutions were referred

to the Committee on Rules and the Committee on Rules will direct such committee as indicated in each of the resolutions to study the subject as referred to in the resolution:

#### SENATE RESOLUTION 1973-80

By Senators Gardner, Murray and Odegaard:

WHEREAS, Considerable concern has been expressed by school districts and universities regarding the organization and financing of education television in the State of Washington; and

WHEREAS, This concern has particularly been expressed regarding the instructional television portion; and

WHEREAS, Several proposals have been submitted to recent sessions of the legislature to change the membership of the educational television commission; and

WHEREAS, Several proposals have been submitted to recent sessions of the legislature to alter the method of funding for educational television to provide for the most efficient operation of existing stations and for the possible expansion of the number of educational television stations;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Superintendent of Public Instruction, in cooperation with the educational television commission and other appropriate agencies and organizations, to prepare a report and recommend legislation for inter-relationships and funding of educational television stations with particular attention to funding of instructional television; and

BE IT FURTHER RESOLVED, That the report and recommendations be presented to the 1974 session of the legislature for its consideration.

#### SENATE RESOLUTION 1973-88

By Senator Rasmussen:

WHEREAS, Citizens of our major metropolitan areas such as Tacoma and Pierce County and Seattle and King County in many cases are deprived of an opportunity to purchase housing at fair and reasonable prices; and

WHEREAS, In no other major metropolitan areas in the nation except Detroit are there more repossessions of homes being made by the Federal Housing Administration than in Pierce and King Counties; and

WHEREAS, In many instances these dwellings repossessed by the F.H.A. stand idle, uncared for and declining in value for three and four years before being sold; and

WHEREAS, Such delays in disposing of these homes would be unacceptable if they were under the control of private enterprise and steps would be taken to see that such blighted dwellings were not foisted upon our communities;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington hereby urges the Federal Housing Administration to take such action as is necessary to expedite sales of repossessed homes in Pierce and King Counties especially, and in other areas of the state where dwellings are repossessed by the federal agency; and that such homes be sold at reasonable and fair prices so that those of our citizens of low and moderate incomes may have good, sound housing.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Nixon and the members of the delegation in Congress from Washington State.

#### SENATE RESOLUTION 1973-100

By Senators Gardner and Francis:

WHEREAS, There is an urgent need to adopt an internationally accepted symbol to indicate that buildings and facilities are accessible to the physically handicapped; and

WHEREAS, The physically handicapped symbol has been adopted for use around the world by Rehabilitation International's 11th World Congress; and

WHEREAS, The physically handicapped symbol is easily recognized by those handicapped; and

WHEREAS, No such standard symbol has been officially adopted by the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, that the Senate urges the adoption of the following figure, which is white on a blue background as the Washington State physically handicapped symbol; and



BE IT FURTHER RESOLVED, That this symbol be prominently displayed at all entrances to public property, buildings, and facilities which provide for access and use by the physically handicapped; and

BE IT FURTHER RESOLVED, That the private use of this symbol shall be encouraged throughout the State of Washington; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate shall prepare a suitable copy of this resolution and present it to the Governor's Committee for the Handicapped and shall further dispatch a copy of this resolution and a copy of the symbol to the Chairman of each board of county commissioners, and to the mayor of each city and municipality in the State of Washington.

#### SENATE RESOLUTION 1973-113

By Senators Day and Murray:

WHEREAS, The children of the State of Washington are our most valuable resource; and

WHEREAS, Children and family units are an essential and integral part of our community structure and growth; and

WHEREAS, There are presently many public and private programs to assist the basic family unit in providing increased opportunities for children; and

WHEREAS, There is a need to eliminate gaps and duplications in available services and programs; and

WHEREAS, There is an increasing need to provide for the coordination and enhancement of services now being provided by various State agencies; and

WHEREAS, There is a need to focus attention on more effectively utilizing public and private resources to provide for the growth of children and strengthen the family unit at the state and community level; and

WHEREAS, It is the responsibility of the State of Washington to protect the quality of life for all children in family units through their active participation and involvement;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Standing Committee on Social and Health Services thoroughly investigate the feasibility of combining all state day care programs into one comprehensive program and report its findings to the January, 1974 extraordinary session of the Legislature for its consideration.

#### SENATE RESOLUTION 1973-138

By Senators Durkan and Gardner:

WHEREAS, The Vista Cottage Girls Treatment Program was established in 1971 as a short term, intensive treatment rehabilitation program for delinquent girls ages 15 to 18; and

WHEREAS, The record of Vista Cottage includes a total of 19 successfully paroled young women now engaged in productive capacities in their communities; and

WHEREAS, None of these girls have required further incarceration; and

WHEREAS, The professional staff at Vista Cottage report that the accessibility to the community activities in the City of Tacoma are an important part of the successful rehabilitation of the girls in Vista Cottage; and

WHEREAS, The professional staff that developed the highly successful Vista Cottage program is involved in other functional programs at the present location of Vista Cottage and would not be able to continue their service at another location; and

WHEREAS, The Department of Social and Health Services has scheduled the closing of Vista Cottage by June 30, 1973 and the transfer of the present residents to an isolated institution presently serving girls aged 13 to 15; and

WHEREAS, The new location would not provide the accessibility to community involvement vital to the success of rehabilitating girls aged 15 to 18; and

WHEREAS, The proposed new program would only service one-half the number of girls now in the program;

NOW, THEREFORE, BE IT RESOLVED, That the Senate deems continuation of the successful rehabilitation of these young women of paramount importance.

BE IT FURTHER RESOLVED, That the Senate considers the present location of, and the professional staff of Vista Cottage vital to the continued success of this program.

BE IT FURTHER RESOLVED, That the Department of Social and Health Services continue the present Vista Cottage program at Cascadia Juvenile Reception-Diagnostic Center in Tacoma.

#### SENATE RESOLUTION 1973-139

By Senators Durkan, Donohue and Odegaard:

WHEREAS, The Senate Ways and Means Committee has more deeply investigated the fiscal aspects of state government during this 1973 legislative session; and

WHEREAS, This investigation has shown areas of inadequate information, insufficient coordination and communications and need for development of legislative policy; and

WHEREAS, The concept of continuing standing committees allows for an on-going legislative review of these areas of concern;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Ways and Means Committee undertake the following areas of study for the review of the Senate in the September 1973 special session:

1. Review of fiscal impact of legislation enacted in the regular and special session.
2. Review of any vetoes of the governor for effect on intent of the legislature and fiscal impact.
3. Substitute House Bill No. 593--Exemption Bill passed by the House and conveyed to the Senate in the closing days of the special session.
4. Review of budget allotments to departments and agencies by the Office of Program Planning and Fiscal Management for legislative intent.
5. Study of budget information needed in committee consideration.
6. In accordance with the legislative budget committee report study the conduct of race track operators and racing commissioners racing horses within the State of Washington and all other aspects of the horse racing industry which affect the public interest.
7. Background, impact studies, and supplemental information on tax revision package.
8. Further study of tax revision implementing legislation for any needed improvements and correction.
9. Other implementing legislation needed if tax revision is approved by the people.
10. Review of senior citizen tax relief legislation for needed corrections (uniformity of income definitions, etc.)
11. Review of provisions of House Bill No. 186 (House amendments to Substitute Senate Bill No. 2346 property taxes in dollars per thousand dollars of value.)
12. Study of factors involved in rate determinations for fire and liability and physical property loss insurance for school districts.
13. Review and study of school levy relief and distribution formula.

BE IT FURTHER RESOLVED, That the Senate Ways and Means Committee undertake the following areas of study for the review of the Senate on or before the 1975 regular legislative session:

1. Funding of hospital districts.
2. Justice Court revenues and allocation to various agencies.

3. Fund allocations within the Department of Social and Health Services in relation to program services and legislative intent.
4. Appropriations problems relating to pensions.
5. Fiscal impact of institutional education programs jointly conducted in local school districts by SPI and DSHS.
6. Public printer; practices and prices.
7. The extent and nature of personal service contracts.
8. Goods and services expenditures.
9. Fiscal growth of counties and cities.
10. Looseleaf handbook review and explanation of all taxes.
11. Review of state supported revaluation program.
12. Uniform fiscal year of all units of government in state.
13. Property tax calendar of fiscal impact on state and local government.
14. Fiscal implications of statewide salary for teachers.
15. Review of building construction safety inspection services of Department of Labor and Industries.
16. Fiscal problems of junior taxing districts.
17. Review and study of all aspects of metropolitan transportation.

BE IT FURTHER RESOLVED, That the Senate Ways and Means Committee be authorized to study other related fiscal areas at the determination of the Senate Ways and Means Committee.

#### SENATE RESOLUTION 1973-140

By Senators Stortini and Durkan:

WHEREAS, The operation and management of the State Liquor Control Board is of great importance to the people of this state and the legislature; and

WHEREAS, The overall organizational structure is dependent on the policies and procedures of the board; and

WHEREAS, The transportation, distribution and supply of liquor to and among the various state liquor stores are matters which have been subject to some critical public review; and

WHEREAS, This public concern extends to security procedures currently in force at state liquor warehouses, and such procedures may detrimentally affect employees working at such facilities; and

WHEREAS, Board policies and procedures which may have an undermining effect on employee relations would have a deteriorating effect on the quality of service to the public; and

WHEREAS, A monopolistic agency must exercise every avenue possible to assure the highest standards of service to the public and this service to the public is affected by employee morale;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Standing Committee on Ways and Means of the Senate is requested to undertake a study of the operation and management of the State Liquor Control Board; and

BE IT FURTHER RESOLVED, That such study include an examination of the effectiveness of Board policies relating to warehouse procedures, personnel, and retail store operation and administration; and

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to any special session of the Legislature held in September, 1973, or the next special or regular session of the Legislature, for its consideration.

#### SENATE RESOLUTION 1973-141

By Senator Rasmussen:

WHEREAS, Consideration of long range goals for the state is a major responsibility of state and local government; and

WHEREAS, Such goals should be thoroughly discussed on a continuing basis by the

43rd Legislature and its committees; and

WHEREAS, These discussions should include, but not be limited to, goals for:

- (a) environmental quality,
- (b) energy consumption,
- (c) governmental structure,
- (d) public services,
- (e) open space and recreation,
- (f) consumer protection,
- (g) urban patterns,
- (h) population growth,
- (i) economic growth,
- (j) transportation system,
- (k) tax equity,
- (l) recycling, and
- (m) agricultural and forestry production; and

WHEREAS, The Senate finds that the complexity of society and rapidity of change today makes it imperative that every effort must be made to involve all of the people of Washington in the setting of long range comprehensive goals; and

WHEREAS, Emphasis should be on local government, the level of government closest to the people, shouldering these responsibilities;

NOW, THEREFORE BE IT RESOLVED, That the Senate Committee on State Government direct its attention to studying the above-named goals in its deliberations during the interim period.

#### SENATE RESOLUTION 1973-142

By Senators Fleming and Gardner:

WHEREAS, The Senate has passed House Joint Resolution No. 22 allowing for incremental taxation in areas where capitol projects are constructed and where surrounding properties have been improved as a result of such capitol projects; and

WHEREAS, House Joint Resolution No. 22 must be submitted to the voters for approval at the next election; and

WHEREAS, No statutory legislation has been prepared allowing for the implementation of House Joint Resolution No. 22 in the event of its approval by the voters; and

WHEREAS, There are many projects which may be undertaken immediately by the local government agencies; and

WHEREAS, It is essential that statutory authorization be considered at the earliest possible date so that such projects may be undertaken as soon as possible; and

WHEREAS, The state of California, the state of Indiana and other states in the Union have already drafted legislation to carry out such purposes; and

WHEREAS, It is extremely crucial that such legislation be carefully studied so as to make sure that it is advantageous to the local units of government as well as to private citizens of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Local Government Committee of the Senate begin immediately preparing a statute and conducting the necessary studies for such statute; and

BE IT FURTHER RESOLVED, That the Local Government Committee of the Senate work with the Ways and Means Committee of the Senate and the Local Government Committee of the House so that the views and opinions of all these committees may be thoroughly considered; and

BE IT FURTHER RESOLVED, That the Senate Local Government Committee report their findings and legislation to the legislature in January of 1974.

#### MOTION

On motion of Senator Sellar, the following resolution was adopted:

## SENATE RESOLUTION 1973-73

By Senator Sellar:

WHEREAS, The Mission Ridge Volunteer Ski Patrol is now completing another successful season of ski patrol; and

WHEREAS, The Mission Ridge Volunteer Ski Patrol has contributed over eight thousand man hours and treated over two hundred and twenty-one skiing accidents this past season; and

WHEREAS, The Mission Ridge Volunteer Ski Patrol is one of the few patrols that has developed methods for night search; and

WHEREAS, On the night of Saturday, February 24, 1973, the Mission Ridge Volunteer Ski Patrol had an opportunity to use this technique and found during the blackness of the night, two lost skiers in sub-freezing weather; and

WHEREAS, On February 26, 1973, they once again participated in a successful search for a lost skier;

BE IT HEREBY RESOLVED, That the Washington State Senate does now commend the Mission Ridge Volunteer Ski Patrol for their activities and duties during this past skiing season.

BE IT FURTHER RESOLVED, That a copy of this resolution duly inscribed be sent to Mr. Allan Wallin, Leader, Mission Ridge Volunteer Ski Patrol.

## MOTION

On motion of Senator Odegaard, the following resolution was adopted:

## SENATE RESOLUTION 1973-77

By Senators Talley, Odegaard and Bailey:

WHEREAS, During this year of 1973, the citizens of the city of Longview, Cowlitz County, Washington, are celebrating the Fiftieth Anniversary of the founding of Longview; and

WHEREAS, The city of Longview has since developed into a community with a population of over 30,000; and

WHEREAS, The city of Longview is a beautifully planned city whose streets radiate from the central park like the spokes of a wagonwheel; and

WHEREAS, Longview, located forty-nine miles from the Pacific Ocean on the Columbia River, has a fine natural harbor and has always been a thriving port city; and

WHEREAS, Longview is also a thriving industrial center, being the home of large facilities of such companies as Weyerhaeuser Company, Reynolds Metal Company, Longview Fibre Company and International Paper Company; and

WHEREAS, Longview is a fine example of planned and orderly growth in city development and of a strong and healthy economy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honors and commemorates the achievements of the city of Longview on the occasion of its Golden Anniversary, and in so doing congratulates the people of Longview on their achievement; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to the mayor of the city of Longview and members of the Longview City Council.

There being no objection, the Senate returned to the fourth order of business.

## MESSAGES FROM THE HOUSE

April 15, 1973.

Mr. President: The House receded from the House amendments to ENGROSSED SENATE BILL NO. 2289, and passed the bill without the amendments.

DONALD R. WILSON, Assistant Chief Clerk.



April 14, 1973.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 53, and has passed the bill as amended by the Free Conference Committee.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The House concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 349, and has passed the bill as amended by the Senate., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

At 1:45 a.m., the President declared the Senate to be at ease.

The President called the Senate to order at 2:51 a.m.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE BILL NO. 2289.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The House has adopted the report of the Conference Committee to SENATE BILL NO. 2522, and has passed the bill as amended by the Conference Committee., and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## REPORT OF CONFERENCE COMMITTEE

April 15, 1973.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred Senate Bill No. 2522, amending provisions regarding state highway route, have had the same under consideration, and we recommend that the bill pass as amended by the House except for the following sections:

“*NEW SECTION.* Sec. 20. There is added to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 905 is established as follows:

Beginning at a junction with state route number 90 in the vicinity of Eastgate, thence northerly via 148th Avenue southeast and 148th Avenue Northeast to a junction with state route number 520.

*NEW SECTION.* Sec. 21. The highway commission is hereby authorized and directed to proceed with the relocation of state route number 509 to provide improved access from state route number 5 to downtown Tacoma and the industrial port area of Tacoma subject to and in accordance with the priority programming system set forth in chapter 47.05 RCW and the funds available and along the following route:

Beginning at the interchange on state route number 5 at Pacific Avenue in Tacoma, thence northerly to the vicinity of 15th street in Tacoma, thence easterly crossing Taylor Way south of the Hylebos Waterway extension, thence northerly to south 348th street, thence easterly to the interchange on state route number 5 with state route number 18.”

Signed by: Senators Walgren, Durkan and Whetzel; Representatives Conner and Berentson.

## MOTION

On motion of Senator Walgren, the report of the Conference Committee on Senate Bill No. 2522 was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 2522, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 29; absent or not voting, 16; excused, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Day, Donohue, Fleming, Guess, Henry, Jolly, Jones, Keefe, Knoblauch, Lewis (Bob), Mardesich, Matson, Mattingly, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Sellar, Twigg, Van Hollebeke, Walgren, Wanamaker, Washington, Woodall—29.

Absent or not voting: Senators Connor, Dore, Durkan, Gardner, Grant, Herr, Lewis (Harry), Marsh, Murray, Newschwander, Peterson (Ted), Rasmussen, Scott, Stortini, Whetzel, Woody—16.

Excused: Senators Bottiger, Francis, Greive, Talley—4.

SENATE BILL NO. 2522, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE SENATE BILL NO. 2328.

## MESSAGES FROM THE HOUSE

April 15, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 53,  
SUBSTITUTE HOUSE BILL NO. 174,  
HOUSE BILL NO. 186,  
HOUSE BILL NO. 349,  
SUBSTITUTE HOUSE BILL NO. 711,  
HOUSE BILL NO. 933, and the same are herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE HOUSE BILL NO. 445,  
HOUSE BILL NO. 590, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 445,  
HOUSE BILL NO. 590.

## SIGNED BY THE PRESIDENT

The President signed:  
SUBSTITUTE HOUSE BILL NO. 53,  
SUBSTITUTE HOUSE BILL NO. 174,  
HOUSE BILL NO. 186,  
HOUSE BILL NO. 349,  
SUBSTITUTE HOUSE BILL NO. 711,  
HOUSE BILL NO. 933.

There being no objection, the Senate returned to the third order of business.

## MESSAGE FROM THE GOVERNOR

March 21, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval SENATE BILL NO. 2287 entitled:  
 "An Act Relating to school districts."

This bill would require that any school district, other than first-class school districts having an enrollment of 70,000 pupils or more in class AA counties, which have had an enrollment of 33,500 pupils or more for the past three consecutive years, must be divided into five director districts. Due to the narrowly drawn application language, this bill would apply only to the City of Tacoma.

If the concept of director districts is to be expanded, then the issue should be addressed in the context of more equal application across the state. For the foregoing reasons, I have determined to veto the entire act.

Respectfully submitted,  
 DANIEL J. EVANS  
 Governor.

## MOTION

On motion of Senator Mardesich, the veto message from the Governor, together with Senate Bill No. 2287, was returned to the Committee on Rules.

## MESSAGE FROM THE GOVERNOR

March 19, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
 (Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to a certain item Senate Bill No. 2213 entitled:

"An Act Regulating the practice of nursing."

This act comprehensively reformulates the law relating to the regulation of nursing practice. This legislation has the effect of bringing the law up to date with many currently accepted nursing practices and building into the administrative processes sufficient flexibility to meet future needs of the profession.

Part of the basis of increased flexibility results from extending the authority and responsibility of the state board of nursing. That board shall consist of seven members and includes six nurses and one public member. In section five, subsection (1)(b)(i) through subsection (1)(b)(iv), the act details at considerable length the qualifications required of individual nurse members of the board. Without these subsections, there remain the requirements that nurse members be licensed under the act, have five years of practice and have actively practiced within two years of appointment. The further detailing of requirements in subsections (1)(b)(i) through (1)(b)(iv) of section five could unduly restrict representation on the board and therefore not serve the best interests of the people or the profession. Accordingly, I have determined to veto that portion of section five.

With the exception of subsections (1)(b)(i) through (1)(b)(iv) of section five, I have approved Senate Bill No. 2213.

Respectfully submitted,  
 DANIEL J. EVANS  
 Governor.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2213, together with the Governor's partial veto message, was ordered transmitted to the Secretary of State.

## MESSAGE FROM THE GOVERNOR

March 12, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to one section Senate Bill No. 2360 entitled:

"An Act Relating to state government."

Senate Bill No. 2360 provides for the deletion and transfer of certain duties relative to the State Auditor. However, section seven purports to amend RCW 82.40.290 which was repealed by section 33, chapter 175, Laws of 1971, 1st Ex. Sess. Consequently, I have determined to veto section seven since it is superfluous and could create substantial confusion if allowed to stand.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

## MOTION

On motion of Senator Mardesich, Senate Bill No. 2360, together with the Governor's partial veto message, was ordered transmitted to the Secretary of State.

## MESSAGES FROM THE HOUSE

April 15, 1973

Mr. President: The Speaker has signed:

SENATE BILL NO. 2036,  
SENATE BILL NO. 2119,  
SENATE BILL NO. 2146,  
SENATE BILL NO. 2289,  
SENATE BILL NO. 2353,  
SENATE BILL NO. 2522,  
SENATE BILL NO. 2570,  
SENATE BILL NO. 2841,  
SUBSTITUTE SENATE BILL NO. 2854,  
SENATE BILL NO. 2866,  
SENATE BILL NO. 2890,  
SENATE CONCURRENT RESOLUTION NO. 108,  
SENATE CONCURRENT RESOLUTION NO. 134,  
SENATE CONCURRENT RESOLUTION NO. 135, and the same are herewith transmitted.

DONALD R. WILSON, ASSISTANT CHIEF CLERK.

April 15, 1973.

Mr. President: The Speaker has signed:  
SUBSTITUTE SENATE BILL NO. 2099,  
SENATE BILL NO. 2352,  
SENATE BILL NO. 2425,

SUBSTITUTE SENATE BILL NO. 2554,  
 SUBSTITUTE SENATE BILL NO. 2586,  
 SUBSTITUTE SENATE BILL NO. 2600,  
 SENATE BILL NO. 2614,  
 SENATE BILL NO. 2621,  
 SUBSTITUTE SENATE BILL NO. 2741,  
 SUBSTITUTE SENATE BILL NO. 2748,  
 SENATE BILL NO. 2762,  
 SUBSTITUTE SENATE BILL NO. 2800,  
 SENATE BILL NO. 2803,  
 SENATE CONCURRENT RESOLUTION NO. 136, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The House has FAILED to pass ENGROSSED SENATE BILL NO. 2598, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 894, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

April 15, 1973.

Mr. President: The Speaker has signed SUBSTITUTE SENATE BILL NO. 2328, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 137, by Senators Bailey, Mardesich, Atwood and Lewis (Harry):

Extending SINE DIE.

On motion of Senator Atwood, Senate Concurrent Resolution No. 137 was advanced to second reading and read the second time in full.

On motion of Senator Atwood, Senate Concurrent Resolution No. 137 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

#### MESSAGES FROM THE HOUSE

April 15, 1973.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 137, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

April 15, 1973.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 52, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 52, by Representative Charette:

Notifying the governor that the legislature is about to adjourn SINE DIE.

On motion of Senator Mardesich, House Concurrent Resolution No. 52 was advanced to second reading and read the second time in full.

On motion of Senator Mardesich, House Concurrent Resolution No. 52 was advanced to third reading, the second reading considered the third, and the resolution was adopted. There being no objection, the Senate returned to the fourth order of business.

## MESSAGE FROM THE HOUSE

April 15, 1973.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 52, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

## SIGNED BY THE PRESIDENT

The President signed:  
SENATE CONCURRENT RESOLUTION NO. 137,  
SUBSTITUTE HOUSE BILL NO. 894,  
HOUSE CONCURRENT RESOLUTION NO. 52.

## MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 2145 was referred to the Committee on Rules on second reading.

On motion of Senator Mardesich, Substitute Senate Joint Resolution No. 105 was referred to the Committee on Rules on third reading.

## MESSAGE FROM THE HOUSE

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 137, and the same is herewith transmitted.

DEAN R. FOSTER, Chief Clerk.

## COMMITTEE FROM THE HOUSE

The Sergeant at Arms announced the arrival of a committee from the House of Representatives. The committee from the House, comprised of Representatives Ceccarelli, Parker and Morris, appeared before the bar of the Senate to notify the Senate that the House was about to adjourn SINE DIE.

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

## MOTION

On motion of Senator Bailey, the following resolution was adopted:

## SENATE RESOLUTION 1973-144

By Senators Bailey and Atwood:

BE IT RESOLVED, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn the First Extraordinary Session SINE DIE.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1973-144, the President appointed Senators Bailey, Mardesich and Atwood to notify the House that the Senate is ready to adjourn SINE DIE.

## MOTION

On motion of Senator Bailey, the committee appointments were confirmed.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 52, the President appointed Senators Walgren, Donohue and Wanamaker as a committee of three from the Senate to join a like committee from the House of Representatives, to notify the Governor that the Senate was about to adjourn SINE DIE.

MOTION

On motion of Senator Walgren, the committee appointments were confirmed.

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Bailey, Mardesich and Atwood appointed to notify the House that the Senate was ready to adjourn SINE DIE reported that the House had been notified.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Walgren, Donohue and Wanamaker appointed to notify the Governor, together with a like committee from the House, that the legislature was about to adjourn SINE DIE, appeared before the bar of the Senate and reported that the committee had so notified the Governor and that the Governor was willing that the legislature adjourn SINE DIE.

The report was received and the committee was discharged.

MOTIONS

On motion of Senator Mardesich, the Senate Journal of the Thirty-eighth Day, Forty-third Legislature, First Extraordinary Session, was approved.

At 3:28 a.m., on motion of Senator Mardesich, the Senate of the Forty-third Legislature, First Extraordinary Session, adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

## GOVERNOR'S MESSAGES ON SENATE BILLS VETOED AND PARTIALLY VETOED

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, SENATE BILL NO. 2036, entitled:

"An Act relating to the Department of Social and Health Services."

Senate Bill No. 2036 seeks to create within the Department of Social and Health Services a separate Division of Corrections. I have decided to veto this bill.

The bill as enacted has major technical problems. It would create a separate division responsible for "... all laws and programs within the department's jurisdiction and dealing with adult and juvenile corrections..." The intent apparently is to place in a single division all responsibilities of the department relating to adult institutions, adult parole and probation services, juvenile institutions and juvenile parole services. While some concern has been expressed by some legislators to the effect that it may be desirable to create a separate Division of Corrections, I know of little knowledgeable support for a Division of Corrections that would combine responsibility for both adult and juvenile programs. This historically has not been true within the State of Washington and more recent developments do not suggest the desirability of such adult and juvenile program consolidation.

The creation by statute of such a Division of Corrections would result in an inflexible structure that would make management of the Department of Social and Health Services more difficult, not easier. When the Legislature created the Department of Social and Health services it wisely did not mandate the internal structure of the department in order to allow a program and structural evolution in an area of state government where change has been occurring very rapidly. Now to begin to dictate the internal structure of this department will only encourage the further designation by statute of separate divisions for various other programs. The result of such a trend would be to discourage effective program coordination within the department.

The internal structure of the Department of Social and Health Services is an issue subject to periodic review. Inasmuch as a new Secretary for that department will be shortly appointed, I can assure you that upon his appointment the issue of whether there should be created a separate division for at least some elements of the corrections program will be directly considered.

For the reasons stated above, I have vetoed Senate Bill No. 2036.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

March 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 2054 entitled:

"An Act relating to driver's licenses."

This bill provides for a ten dollar reinstatement fee in the event a person whose license has been suspended or revoked later asks for reinstatement. In addition, section two



provides that the act will take effect on July 1, 1973, but does not contain an emergency clause. This section could be operative only if the legislature adjourns on or before April 1st of this year. In order to avoid ambiguity, I have determined to veto section two.

With the exception of section two, Senate Bill No. 2054 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval, SENATE BILL NO. 2084 entitled:  
"An Act relating to the retirement of judges."

This bill would provide that a judge who had served over eight years, but less than twelve years, could add to his years in service, for the purpose of obtaining pension rights, the time spent in service as a judge pro tempore. The constrictions placed upon this bill would have the effect of benefiting very few judges. If pro tempore service as a judge is to be considered for the purpose of obtaining pension benefits, then it should be available for all of those who serve or none. The question should be decided by the Legislature and the decision made on an overall basis, not in the limited fashion this bill would provide.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval SENATE BILL NO. 2099 entitled:  
"An Act relating to revenue and taxation."

This act would allow a fire protection district to submit to the vote of the residents of the districts a resolution to allow a service charge on all personal property and improvements to real property, up to an amount not more than that which would be raised by a one mill property tax levy, within the district during one year. There is no question that fire protection districts are in need of additional funding to carry out their duties. However, this bill is clearly an effort to avoid the constitutionally mandated 40 mill limit on property taxes. If this act were to be approved, the future would undoubtedly see many, if not all, other junior taxing districts attempting to achieve passage of similar legislation in the future; and the whole question of tax reform, only of a different kind, would be before us again.

The issue of adequate funding for fire protection districts is inextricably related to the issue of adequate funding for library districts and all other junior taxing districts. Any proposal to provide funding relief for one of these entities must, in order to be successful in solving the underlying problem, be comprehensive and take into account the similar problems of all junior taxing districts.

An interim study of the funding problems of these service districts, including the study of such districts' organizational structure, with the purpose of providing more efficiency, consolidation and cooperation as well as funding would be a viable beginning toward a complete solution to these problems.

Accordingly, for the reasons set out above, I have determined to veto Senate Bill No. 2099.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, ENGROSSED SENATE BILL NO. 2153, entitled:

"An Act relating to community college districts."

Senate Bill No. 2153 amends the Community College Professional Negotiations Act and it represents the extensive efforts of the Joint Committee on Higher Education in conjunction with faculty organizations and administrators to develop needed procedural amendments to that act. This is desirable legislation which I fully support.

A floor amendment to section 2 of the bill was added in the Senate which provides that:

"It is further determined that any agreement involving union security including an all-union agreement or agency agreement must safeguard the rights of nonassociation of employees, based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member."

This amendment then provides that such an employee must pay an amount of money equivalent to regular dues and initiation fees and assessments, if any, to a charitable organization.

The floor amendment added in the Senate is relatively standard language inserted where legislation authorizes an agency or union shop provision. However, Chapter 28B.52 RCW, of which this section will become a part, does not specifically authorize an agency or union shop. In fact, a section contained in that Chapter specifically states that there shall be no discrimination against academic employees or applicants for such positions because of their membership or non-membership in employee organizations.

The addition of this paragraph in section 2 could be interpreted as enlarging the scope of negotiations by allowing academic employees to negotiate an agency or union shop clause in collective bargaining agreements. I do not believe such a consequence should be allowed to occur as a result of an inference from language intended for an entirely different purpose.

If an agency or union shop clause could be negotiated under current law this language assuring religious freedom would be highly desirable. But, since there is not currently legal authorization for an agency or union shop, I have determined to veto the item contained within lines 20 through 33 of page 2 of Engrossed Senate Bill No. 2153.

With the exception of that item, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to one item, SENATE BILL NO. 2183 entitled:

"An Act relating to business and professions."

This act will provide a system of certification of electricians and their apprentices at the state level, administered by the department of labor and industries. Section 17 of this act provides that it will not take effect until funds have been appropriated to implement its provisions. However, section 17 further provides that should the Governor veto section 17, or any item in section 17, then none of the provisions of the bill will take effect.

The language in section 17, prohibiting the act from taking effect if section 17 is vetoed, is patently unconstitutional and irrelevant. If given weight, such a provision would have the effect of prohibiting the use of the veto power wherever such language appeared. The veto power of the Governor is based in, and authorized by, the State Constitution. To suggest that this language, adopted by a majority vote, could prohibit the exercise of a constitutionally granted power is to suggest that the legislature can amend the Constitution by a majority vote, rather than two-thirds vote, and without referring such amendment to the people. Inasmuch as section 17 is so clearly unconstitutional, and as such is superfluous and constitutes only extra verbiage, I have determined to veto it.

With the exception of section 17, which I have vetoed for the reasons set out above, the remainder of Senate Bill No. 2183 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

March 19, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to a certain item SENATE BILL NO. 2213 entitled:

“An Act regulating the practice of nursing.”

This act comprehensively reformulates the law relating to the regulation of nursing practice. This legislation has the effect of bringing the law up to date with many currently accepted nursing practices and building into the administrative processes sufficient flexibility to meet future needs of the profession.

Part of the basis of increased flexibility results from extending the authority and responsibility of the state board of nursing. That board shall consist of seven members and includes six nurses and one public member. In section five, subsection (1)(b)(i) through subsection (1)(b)(iv), the act details at considerable length the qualifications required of individual nurse members of the board. Without these subsections, there remain the requirements that nurse members be licensed under the act, have five years of practice and have actively practiced within two years of appointment. The further detailing of requirements in subsections (1)(b)(i) through (1)(b)(iv) of section five could unduly restrict representation on the board and therefore not serve the best interests of the people or the profession. Accordingly, I have determined to veto that portion of section five.

With the exception of subsections (1)(b)(i) through (1)(b)(iv) of section five, I have approved Senate Bill No. 2213.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to certain items, SUBSTITUTE SENATE BILL NO. 2226, entitled:

"An Act relating to the lease and rental of property."

This act establishes an elaborate set of contractual relationships between landlords and tenants in residential dwellings. The provisions include regulation of security and damage deposits, conditions under which a tenant may be evicted, dispute settlement between landlords and tenant with regard to the conditions of the premises, and other general responsibilities of tenants and landlords.

Section 6 of the bill sets out obligations. Subsection one requires the landlord to maintain the premises in compliance with applicable codes, statutes or ordinances, but only if such conditions substantially endanger or impair the health or safety of the tenant. This creates a difficult burden of proof for any tenant and would not only deter tenants from using these codes, but could also deprive them of a remedy in many cases of code violation. In subsection four, the landlord is required to provide a reasonable program for control of infestation by insects, rodents and other pests, but exempts single family residences. Since the provision does not require the landlord to control infestation caused by the tenant, there is no reason for exempting single family residences from this provision, and consequently I have vetoed it.

In section 7 the landlord is required to commence remedial action to keep the premises of a tenancy fit for human habitation. This section is designed to meet the problem of landlords who repeatedly promise repairs but fail to meet those promises. The item consisting of the final four lines in this section provides that the time limitation set forth for remedial action will not be applicable where the landlord fails to meet specified deadlines because of circumstances beyond his control. This has the effect of exempting the landlord from the requirements previously set forth without adequate justification, and I have determined to veto it.

In section 8 the tenant is required to be current in the payment of rent, including all utilities he has agreed to pay in the rental agreement, before he may exercise any remedies under this act. In an act which is designed to regulate the relationship between landlords and tenants it is inappropriate that there should also be a requirement that the tenant pay his bills to third parties in order to exercise his rights. Consequently I have vetoed that provision.

In section 11 the court or arbitrator may authorize further corrective repairs for a defective condition if the landlord has not corrected them within a specified time. However, the section limits the court or arbitrator's authority to set the actual value of repairs needed. Decisions will vary with individual circumstances and arbitrary restrictions should not be set upon the court or arbitrator in this regard, when the requirements are clearly otherwise. Accordingly, that item establishing that restriction is vetoed.

In section 19 the landlord is required to give notice to the tenant of any tenant-caused defect which the landlord wants remedied. The language as it reads implies that where a landlord has accepted performance by the tenant, even though at variance with the terms of the rental agreement, he may nevertheless serve notice that he is instituting steps to require compliance with the rental agreement. This allows landlords to repudiate their own agreements, and is without justification. Consequently, I have vetoed this item.

In section 23 a landlord is prohibited from taking or detaining the personal property of a tenant unless the tenant has given specific consent to such taking or detention. Such provision may well encourage landlords to coerce tenants into allowing their possessions to be taken as security for overdue rent. In another portion of the same section there is a requirement that the tenant give a written demand to the landlord for the return of his personal property before he may be granted relief. The effect of such language is to allow a landlord to seize the tenant's personal property without penalty if the property is returned after receipt of a written notice. These items are unjustified and I have vetoed them.

In section 24 the landlord is prohibited from taking retaliatory action against the tenant because of any good faith and lawful complaint to a governmental authority concerning the landlord's failure to comply with applicable codes, statutes or ordinances; but only if such failure would endanger or impair the health or safety of the tenant. Since it is in the interest of regulatory authorities to receive such complaints, this limitation violates public policy. A tenant should be free to make any good faith report of any violation. In addition, this section provides that reprisal and retaliatory action, as defined, excludes

eviction of the tenant when the landlord has given 20-days' notice to terminate such tenancy. This provision clearly renders the prohibition on retaliatory action meaningless. Therefore, both items are vetoed.

Section 25 further defines retaliatory action by the landlord and creates certain presumptions. One presumption is raised against the tenant if the tenant makes a complaint to a government agency within 90 days of an increase in rent. Thus, for 90 days after an increase in rent a tenant would be deterred from making a good faith complaint of any violation of law for fear a landlord might retaliate. Obviously, this would unduly discourage such complaints and is against public policy. Accordingly, I have vetoed this item.

Section 31 establishes the landlord's rights where the tenant has abandoned the premises. One item would allow costs incurred in re-renting the premises, together with statutory court costs and reasonable attorney's fees, to be charged back against the tenant. Such a provision goes far beyond even the common law and cannot be justified. I have therefore vetoed it.

Section 43 establishes a procedure for exempting those who rent a single family dwelling from the requirements of the act. Section 36 already establishes such a procedure, and there is no need for this additional provision. Consequently, I have vetoed section 43.

Section 47 provides that this act shall not apply to any lease or periodic tenancy entered into prior to the effective date of the act. Many tenancies are entered on a periodic basis and there is no sufficient reason to exempt existing tenancies from the provisions of this act. Accordingly, I have vetoed this section.

With the exceptions noted above, I have approved the remainder of Substitute Senate Bill No. 2226.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to one item, SENATE BILL NO. 2256 entitled:

"An Act relating to juvenile services."

Section one of this act was requested by the department of social and health services to clarify some of the provisions relating to the juvenile probation subsidy program.

Section two, which was not part of the departmental request, would allow housing authorities to use their funds to establish and operate group homes for juvenile parolees and the developmentally disabled. While this provision is indeed a laudable effort to provide varied settings for rehabilitation and care of juveniles and the handicapped, an item in that section would require that if medical care were provided in the homes, the homes would have to meet standards of a skilled nursing home. Additionally, the item would terminate the authority granted by this section on February 15, 1974.

The language relating to medical care and requiring standards of a skilled nursing home is both inappropriate and irrelevant. "Medical care" could mean a doctor's house call, administration of a shot, or treatment of a sore throat. Obviously, the medical standards required of nursing homes are not necessary to the kind of treatment likely to be given in a group home. Group homes are not and would not be medically oriented nor provided for a medical purpose. Additionally, there seems to be no justifiable purpose to grant this authority in this act and then terminate it on February 15, 1974. If provision of group homes is a worthy idea, which it is, then there is no justification for this language.

Accordingly, for the reasons set out above, I have determined to veto that item in

section two of Senate Bill No. 2256. With that exception, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

March 21, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval SENATE BILL NO. 2287 entitled:  
"An Act relating to school districts."

This bill would require that any school district, other than first-class school districts having an enrollment of 70,000 pupils or more in class AA counties, which have had an enrollment of 33,500 pupils or more for the past three consecutive years, must be divided into five director districts. Due to the narrowly drawn application language, this bill would apply only to the City of Tacoma.

If the concept of director districts is to be expanded, then the issue should be addressed in the context of more equal application across the state. For the foregoing reasons, I have determined to veto the entire act.

Respectfully submitted.  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, ENGROSSED SENATE BILL NO. 2326, entitled:  
"An Act relating to state government."

The principal objectives of this bill are to authorize the State Auditor to undertake performance audits when such audits may be required by the federal government as a condition for the receipt or expenditure of federal funds by any state agency and to authorize the State Auditor to make recommendations to the Legislature in accomplishing its performance audit responsibilities if the Auditor during the course of his regular fiscal-legal audits observes questionable financial management practices.

I am satisfied there are presently no federal requirements that performance audits must be conducted by the same state agency which is responsible for fiscal-legal audits. The State Legislature is currently developing the capacity to undertake performance audit responsibilities, a development which I support as part of a desirable expanding role of the Legislature in program evaluation.

I am further satisfied that the State Auditor is currently not prohibited from making recommendations to the Legislature in aid of the legislative performance audit functions should the State Auditor observe questionable financial management practices within state government.

Accordingly, I do not see the necessity nor desirability of this legislation and therefore for the reasons stated above I have vetoed Engrossed Senate Bill No. 2326.

Respectfully submitted.  
DANIEL J. EVANS  
Governor.

April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to several items, ENGROSSED SUBSTITUTE SENATE BILL NO. 2328, entitled:

“An Act relating to highways.”

Engrossed Substitute Senate Bill No. 2328, as passed by the Legislature, provided operating and capital appropriations for the Department of Highways, the Toll Bridge Authority, and the Urban Arterial Board for the biennial period fiscal 1974 and 1975.

I have signed Engrossed Substitute Senate Bill No. 2328 with the following exceptions:

Page 2, section 1, line 12, beginning with “PROVIDED FURTHER” and continuing through the remainder of page 2, all of page 3, and through line 29 of page 4, ending with the word “system”; delete entirely, as follows:

“PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$4,000,000, or so much thereof as may be necessary and available, for construction of the four-lane facility on State Route 16 between milepost 18.93 near Olympic Drive and milepost 26.78 near Tremont Road if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act:

PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$100,000, or so much thereof as may be necessary, for design of the required number of snowsheds and approach roadways on State Route 20 between Newhalem and the vicinity of Diablo; and that the highway commission is further authorized and directed to expend \$1,500,000, or so much thereof as may be necessary and available, for construction of the required number of snowsheds and approach roadways on State Route 20 between Newhalem and the vicinity of Diablo if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That the Highway Commission is hereby authorized and directed to expend \$731,500 or so much thereof as shall be necessary and available for overlays and other construction improvements on SR 27 from the south city limits of Tekoa to the north city limits of Fairfield, if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That, in view of the imminent plans of the city of Seattle for construction of the West Seattle freeway, the highway commission is hereby authorized and directed to expend not to exceed \$1,000,000 or so much thereof as may be necessary and available for preliminary engineering and design of that portion of the West Seattle freeway interchange with SR 99 which the highway commission finds to be a state responsibility if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That, in view of the fact that traffic on SR 20 between SR 5 and Sedro Woolley exceeds capacity by ten percent and with the opening of the North Cascades highway is expected to exceed capacity by eighty-five percent in 1973, the highway commission is hereby authorized and directed to expend not to exceed \$900,000 or so much thereof as may be necessary and available for preliminary engineering, design and acquisition of right of way for SR 20 from a junction with SR 5 to Sedro Woolley if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$140,000 or so much thereof as may be necessary for construction of an additional lane to make a three lane off-ramp for northbound traffic on SR 5 in south Snohomish county at northeast 205th

street at Swamp Creek if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend approximately \$2,000,000 or so much thereof as may be necessary for design, right of way acquisition and construction of a connecting roadway between SR 164 in the vicinity of the Auburn Academy and connecting with SR 18 by the most direct route if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to designate that portion of SR 395 between Pasco and Connell to its proper priority within its functional class in order to substantially complete programmed construction improvements for the 1973-79 period no later than July 1, 1975, if the highway commission encounters unavoidable delays in designing, acquiring right of way, or constructing state highway improvements as provided in the budget of the highway commission adopted by this act: PROVIDED FURTHER, That no moneys as appropriated herein shall be expended during the 1973-75 biennium on the Mottman Interchange on Highway 101, being Project No. 132C of PROGRAM C, CONSTRUCTION and moneys appropriated herein for such Mottman Interchange as foreshad shall be expended for location, design, right of way and construction of the Randall Road Interchange on Highway 101, being Project No. 132A; AND PROVIDED FURTHER, That if any moneys herein appropriated are expended for the location, design, or construction of an additional lane or lanes to state route number 522 between N.E. 110th Street and 68th Avenue N.E. then such location, design or construction shall permit and encourage the exclusive use of such lane or lanes during peak traffic periods by motor vehicles which are a part of an urban mass transit system."

On page 7, section 3, lines 15 through 20, I have vetoed the following item: following the word "waters": "PROVIDED, That only expenditures up to \$1,000,000 shall be made from funds authorized by this appropriation from the Puget Sound capital construction account until all funds expended by the State Highway Commission in accordance with section 4, chapter 290, Laws of 1971 extraordinary session have been repaid to the Motor Vehicle Fund to be used for state highway purposes."

On page 8, section 3, lines 21 through 31, following "tolls", delete:

"PROVIDED FURTHER, That any moneys accruing to the Puget Sound ferry operations account in excess of this appropriation and any part of this appropriation that will be unexpended pursuant to certification by the toll bridge authority or highway commission to the office of Program Planning and Fiscal Management shall forthwith be transferred from said account and the total of such moneys shall be distributed as follows:

- (a) ten percent to the cities and towns of the state;
- (b) thirty-three percent to the counties of the state; and
- (c) fifty-seven percent to the state to be expended as provided by RCW 46.68.130:"

On pages 8 and 9, Section 3, lines 32 through 33 on page 8 and lines 1 through 8 on page 9; beginning with "PROVIDED" and ending with "Townsend":

"PROVIDED FURTHER, That there is hereby appropriated from the Motor Vehicle Fund to the toll bridge authority the sum of ninety thousand dollars to purchase prior to September 1, 1973, of the assets of Olympic Ferries, Inc., such assets to include all ramps, docks, piers, loading and unloading facilities and real property interests used therewith and further to include the certificate of convenience and necessity for ferry service between Port Townsend and Keystone and further to include any other assets but not to include a warehouse or storage facility located in the vicinity of Port Townsend."

I have stricken the first item for the purpose of maintaining the integrity of the legislatively-mandated priority program system. The legislative declaration of purpose expressed intent very succinctly as to the requirement for such a system.

RCW 47.05.010 "The legislature finds that anticipated revenues available for state highways for the foreseeable future will fall substantially short of the amount required to satisfy all of the state highway needs. It is the purpose of this chapter to establish a policy of priority programming for highway development having as its basis the rational selection



of projects according to factual need, systematically scheduled to carry out defined objectives within limits of money and manpower, and fixed in advance with reasonable flexibility to meet changing conditions."

I find that with such scarcity of funds as cited above becoming even more pressing, and the requirements for evaluation correspondingly more essential, I have stricken these provisions that relate to specific projects in order to preserve the methodology of systematic planning in the state process. Therefore, it is recognized that these projects will be specifically evaluated in the on-going highway planning process. I am confident that as a result of such review a number of these projects will be initiated or accomplished in the next biennium.

In recent years there has been concern expressed regarding the potential influence of the Governor should he be in a position to appoint the Secretary of a Department of Transportation. I find it difficult to reconcile this concern with the large number of special interest projects that I have just deleted from this portion of SSB 2328.

The second item, detailing as priority the repayment of the 1971 ferry construction loan, has been stricken. After consultation with the affected agency, I have stricken this to enable the state to acquire federal funds, if available, and thus to achieve a significant experiment in cross-sound transportation. The loaned funds are secure to the highway system of the state; and at the same time, a major advance in citizen facilities and convenience is made possible.

Item three provided for redistribution of excess to appropriation or required Puget Sound ferry operations account funds. After review of the entire budget, I have stricken this provision for the following reasons. First, the fast passenger boat experiment is an unknown cost factor. Until such time as the operational cost estimates have been compiled, such a redistribution would constitute a hazard to the effort. Second, the ferry operation, in its entirety, is under review. Finally, I note that the transportation study bill, Engrossed Substitute Senate Bill No. 2748 calls for a study of the total funding system for transportation as well as the requirement for a separate study of the various ferry funding mechanisms. Such a redistribution would thus be premature.

The fourth item stricken is that of mandating the terms and conditions of acquisition of a portion of the assets of Olympic Ferries, Inc., Chapter 44, Laws of 1972, Second Extraordinary Session, authorized the Toll Bridge Authority and the Highway Commission to operate a ferry service between Port Townsend and Keystone in the event that the present privately owned corporation operating the service discontinued service and surrendered its certificate of convenience and necessity. This has not occurred. The terms of purchase listed in the subject proviso include purchase of the said certificate, which constitutes essentially purchase of a privilege which is given by the state on the condition that requirements of the public are met. Until such time as the subject private operator determines that he no longer wishes to provide the service, the terms of Chapter 44, Laws of 1972 (2nd Ex. Sess.) should prevail. At that point, the citizens of the State of Washington should not be required to purchase a privilege which they have granted but which is no longer desired by the holder. In summary, the possible purchase by the state of this operation should be determined by existing statutes and negotiations as to the value of assets.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 14, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval Senate Bill No. 2339 entitled:  
"An Act relating to state government."

This bill would establish an advisory council, composed of ten members, to the

director of the department of fisheries. Nine of the ten members would be appointed by the legislative interim committee on fisheries, game and game fish, or in the event that committee does not exist, by the standing committees on natural resources.

The provisions contained in this bill for appointment of advisory council members conflicts with the traditional limits of the doctrine of separation of powers between the legislative and executive branches of government. Moreover, there already exists an advisory committee to the department established by executive action. In addition, the standing committees of the legislature, having independence and the authority of legislative review, are better able to serve the purposes with which this proposed advisory council would be charged.

Accordingly, for the reasons set out above, I have determined to veto Senate Bill No. 2339.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

March 12, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 2360 entitled:

"An Act relating to state government."

Senate Bill No. 2360 provides for the deletion and transfer of certain duties relative to the State Auditor. However, section seven purports to amend RCW 82.40.290 which was repealed by section 33, chapter 175, Laws of 1971, 1st Ex. Sess. Consequently, I have determined to veto section seven since it is superfluous and could create substantial confusion if allowed to stand.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to two items, SUBSTITUTE SENATE BILL NO. 2365 entitled:

"An Act relating to emergency medical care and health services."

This act will provide that the citizens of our state will be able to receive standardized higher quality emergency medical services. Section four of the act establishes an emergency medical and ambulance review committee consisting of nine members appointed by the Governor. Section four also provides that, of the nine members on the committee, two must be from fire departments, two must be private ambulance owners, two must be licensed physicians, two must be from the consuming public and one must be a hospital administrator. While representation on the committee from such groups is both worthwhile and needed, the requirement that only such members may be appointed could well work to the disadvantage of the public should it prove worthwhile to appoint individuals from other interested areas in the future.

Section eleven of the act provides for the granting of a certificate of qualification as an emergency medical technician and requires a fee to be established, paid by the applicant, for the certificate. The section exempts volunteer firefighters and volunteer ambulance personnel from the requirement of paying the fee. Such exemption is both laudable and in

the public interest; however, it does not take into account the numerous other types of volunteer personnel which would desire and need the certificate of qualification and should be equally exempt from the payment of a fee. Deletion of the item referring to firefighters and ambulance personnel will allow all volunteer personnel to be exempt from the fee.

Accordingly, for the reasons set out above, I have determined to veto the two items in sections four and eleven of this act. With those exceptions, Substitute Senate Bill No. 2365 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to one item, SENATE BILL NO. 2435 entitled:

“An Act relating to public health.”

This act creates an alcoholism advisory board for the Department of Social and Health Services and also provides a mechanism for program funding at the county level for those counties which desire it. Section four of the bill establishes a distribution formula for the funds appropriated to the department for alcoholism. The formula allows ten percent of the funds for administration, twenty percent for pilot and statewide programs and the balance to be allocated to the counties based on the ratio of liquor taxes and profits derived from a county to the taxes and profits derived from the sale of liquor statewide. This formula is unduly restrictive in that it would not allow for the continued funding of existing statewide and pilot programs. Additionally, the ratio established for county allocation varies widely from period to period, making it very difficult for the counties to do meaningful planning for future needs. With these considerations in mind, it would be appropriate for the legislature to reconsider the formula between now and next September and at that time establish a more viable method for allocating these funds to the counties.

Accordingly, for the reasons set out above I have determined to veto section four of Senate Bill No. 2435.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

March 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 2459 entitled:

“An Act relating to domestic relations.”

This bill creates rights and processes relating to the custody of children, which recognizes that neither parent may be absolutely barred from custody of a child. The necessity for this legislation arises from the decisional law of the U.S. Supreme Court, which has held that the fact of non-marriage between parents is not sufficient grounds to deny a father all chance of having custody of his children.

As a direct consequence of the decision of the Supreme Court, fathers must now be given adequate notice of proceedings, within the meaning of the due process clause of the Constitution, when their illegitimate children are put up for adoption. Failure to give such

notice can mean that adoptive parents may lose their child at some point in the future if the parent who was not notified attacks the adoption in court. The processes and procedures provided for in this act are designed to render as secure as possible any adoption which is finalized in a legal manner.

Section ten of the act further provides that a parent who successfully attacks an adoption to obtain custody of the adoptive child must pay the adoptive parents all direct and indirect costs of child support which the adoptive parents had previously incurred. Section eleven provides that, before a natural parent may file suit to obtain custody of his child from adoptive parents, he must file a bond in the amount of \$100 a month for every month the adoptive parents had custody of the child, such bond to be security for any damages which might be adjudged under section ten. Section eleven clearly discriminates against those persons who have insufficient resources to obtain the bond, preventing those persons from even getting into a court to test the merits of their claim. The random impact of such a provision, denying only those who have limited resources full access to the courts, deters the basic function of the judicial system, to decide the issues of a law suit on its merits. Accordingly, I have determined to veto section eleven for the reasons set forth above.

With the exception of section eleven, I have approved Senate Bill No. 2459.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 24, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval of certain items SENATE BILL NO. 2502 entitled:

"An Act relating to equal rights."

This act amends the laws of our state to bring them into conformity with the requirements of House Joint Resolution No. 61, approved by the people at the last general election, which provides for equality of rights among men and women. Within this act, amendments found in section 37, 40, 41, 42 and 43 technically conflict with amendments to the same statutes found in Senate Bill No. 2459 which I have previously approved. Senate Bill No. 2459 accomplishes the same intent as this act and also adds language pertinent to the intent of that particular bill. Additionally, amendments are made in sections 30, 31, 32 and 33 of this act to sections of law which are repealed by House Bill No. 392, an act relating to divorce. Inasmuch as I have approved House Bill No. 392, it would be inappropriate to leave those sections in this act.

Accordingly, for the reasons set out above I have determined to veto sections 30, 31, 32, 33, 37, 40, 41, 42 and 43 of Senate Bill No. 2502.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to one section, SUBSTITUTE SENATE BILL NO. 2600 entitled:

"An Act relating to intoxicating liquor."

This bill was requested by the liquor control board and has the effect of modernizing

and clarifying many of the statutes relating to their operation. Section two of the bill, which was not originally in the bill, would prohibit the board from employing any person who is receiving a pension in the amount of four hundred dollars or more. This restriction, if valid at all, should be applied to all state employees if it is to be adopted, not just liquor control board employees. Consequently, such a provision belongs in the laws relating to the personnel board rather than this act.

Accordingly, I have determined to veto that item consisting of section two for the reasons set out above. With that exception, Substitute Senate Bill No. 2600 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, entitled:

"An Act relating to transportation; describing powers and duties of transportation agencies; providing for transportation studies; adding new sections to Chapter 44.40 RCW; making an appropriation; and declaring an emergency."

This bill authorizes interim studies of various transportation related issues by the Legislative Transportation Committee and/or the Senate and House Transportation and Utilities Committees.

Section 3 of the bill authorizes these committees to enter into contracts on behalf of the state to carry out the purposes of the act. In addition, section 3 provides that the committees "may act for the state in the initiation of or participation in any multi-governmental agency program relative to transportation planning, programming or budgeting, or other purposes of this chapter."

I have determined to veto that item in section 3 quoted above. There are both policy and, in some circumstances, constitutional objections to a legislative committee having the authorization to act for the state in multi-governmental programs. Such federal-state-local governmental arrangements clearly involve executive functions and for a legislative committee to be contracting for the state in such matters would clearly violate the traditional limits of the separation of powers between the legislative and executive branches of government.

With the exception of the described item in section 3, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, SUBSTITUTE SENATE BILL NO. 2800, entitled:

"An Act adopting the budget for the Department of Social and Health Services and allied agencies; making appropriations and authorizing expenditures for the operations of the department and allied agencies for the fiscal biennium beginning July 1, 1973, and

ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency."

The specific item which I have vetoed is the phrase "in combination with the protective services program" which appears in Section 2, page 5, lines 8 and 9. I have vetoed the phrase in order to correct a technical error which would lead to accounting and programming problems. The Child Protective Services Program technically does not exist as a separate and distinct accounting or program entity in the Department but is part of the broad-ranged Community Social Services Program. This amendment simply allows the Department to continue the program as part of the Community Services Program.

With the exception of the item described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to certain items, SUBSTITUTE SENATE BILL NO. 2854, entitled:

"An Act adopting the budget for certain state agencies; making appropriations and authorizing expenditures for the operations of certain state agencies for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency."

The specific items which I have vetoed are as follows:

(1) Attorney General. On page 4, line 5, and also on page 27, line 24, I have vetoed the word "General."

In making the appropriation to the Attorney General for operation of his office during the 1973-75 biennium in Section 14, and also in appropriating funds for additional state contributions for employee health insurance in Section 86, the Legal Services Revolving Fund has erroneously been referred to as the "General Legal Services Revolving Fund." To correct this reference, I have vetoed the word "General."

(2) Horse Racing Commission. On page 9, line one, I have vetoed the phrase, "at any race meet," and on line three, the phrase, "at such meet."

The purpose of the horse racing commission is to properly regulate and protect the interests of the citizens of this state and I do not believe it would be wise to restrict the amount of funds to do that job below the minimum necessary to assure adequate regulation.

By deleting these two phrases, I have concurred in the Legislature's intent to reduce and place a limit upon the regulatory expenses of the Horse Racing Commission to three-fourths of one percent of the total parimutuel handle. This will allow the commission sufficient funds to effectively regulate racing activity at each individual track throughout the state.

On page 9, beginning on line 26, I have vetoed the proviso preventing the Horse Racing Commission from employing an Executive Secretary to administer and enforce the laws and regulations governing the conduct of horse racing and parimutuel wagering in this state. The state parimutuel tax, collected and administered by the Horse Racing Commission, amounts to about \$4,000,000 per biennium. Regulating horse racing and parimutuel wagering for the public is a great responsibility, requiring several professional and technical skills which are required on a full time basis. The three-member Horse Racing Commission, whose purpose is to enforce the Horse Racing Act of 1933, through adjudicative proceedings, does not serve on a full time basis. A competent full-time administrator, serving at the pleasure of the Commission, is absolutely necessary to assist the Horse Racing Commission to effectively carry out its mission.

(3) Utilities and Transportation Commission--Grade Crossing Protection. In Section

38, page 10, lines 11 through 13, I have vetoed the language " PROVIDED FURTHER, That no expenditures may be made from this appropriation after July 1, 1973 . . . ."

During review of the appropriation to the Utilities and Transportation Commission for installation of grade crossing protective devices, the Legislature determined that specific authority should be given to the Commission to make advance orders for protective devices. It appears the Legislature also intended that even though orders for protective devices might be placed prior to the end of the current biennium, actual expenditures should not be made until after July 1, 1973. In adding the restriction on expenditures, however, the Legislature inadvertently included language that prevents the expenditure of any funds appropriated for grade crossing protection devices after July 1, 1973. I am convinced there was no intent to prohibit expenditures for this desirable program during the 1973-75 biennium. The language deleted removes this prohibition against the expenditure of funds during the 1973-75 biennium while still permitting the Commission to make advanced orders for protective devices as intended by the Legislature.

(4) Superintendent of Public Instruction-Special Levy Relief. I have deleted Section 43 which appears on pages 10 and 11 in its entirety.

This section appropriates \$40 million to the Superintendent of Public Instruction to be distributed as prescribed by the Legislature for special levy relief. The Legislature did not prescribe how the funds are to be distributed, however, and lacking that direction, the Department cannot make any distribution from the proposed appropriation. The section is therefore inoperative.

In addition to the defect noted above, I have concluded that the possible budgetary ramifications of providing these funds for special levy relief at this time are offset by the undesirable consequences which might flow from that decision even if the funds could be distributed. Although the Legislature apparently intended to provide funds, for special levy relief through reductions made in the appropriations for a number of agencies, this proposed appropriation could place the entire budget in jeopardy and might well leave us in the near future facing the unhappy alternatives of either ratable reductions in Public Assistance or higher taxes. The Public Assistance caseloads projected in the budget that I submitted to the 1973 Legislature reflected a substantial decline in the rate of growth we have experienced over the past several years. These conservative estimates of caseloads were reduced further by the Legislature to a level which appears unrealistic. In spite of the fact that a \$10.5 million contingency appropriation was provided in the event that caseloads exceeded those estimated by the Legislature, the appropriation for public assistance recipients remain some \$17 million below the conservative needs contained in my budget request.

If the public assistance caseloads exceed those funded by the Legislature, the state might well be faced with either ratable reductions in payments to public assistance recipients or increased taxes to fund the higher caseloads.

Clearly, a tax increase would defeat the very purpose sought by the Legislature in proposing special levy relief. Moreover, I cannot believe that the taxpayers of the state would favor reductions in the payments made to elderly, handicapped, and disadvantaged persons, who have faced great difficulties in living on a fixed income during a period of sharply increasing costs of living.

Although I agree completely with the general intent evidenced by this attempt to reduce special levies for school purposes, the proposed appropriation might not only jeopardize the entire 1973-75 budget, but it is also premature. The Legislature will meet in September of this year and also in January of 1974. The September meeting will afford an opportunity to review revenues and public assistance caseloads to see at that time if relief of this type can be authorized. Because the special levy proposal cannot be implemented in the absence of legislative direction to the Superintendent of Public Instruction on how the funds are to be distributed, action by the Legislature in September will not result in any delay.

In addition, the 1973 Legislature has placed a constitutional amendment for tax reform before the voters. If this proposal is adopted at the 1973 general elections, the 1974 Legislature will have an opportunity to review state expenditures, state revenues, and also special levy relief in the total context of tax reform and with much improved information

on the actual level of public assistance and other state operating costs for the 1973-75 biennium.

(5) Department of Social and Health Services--Northern State Hospital. In section 74, on pages 22 and 23, I have vetoed the proposed appropriation of \$4,242,807 for the continued operation of Northern State Hospital during the 1973-75 biennium.

Because no capital construction is specifically contemplated by this section, most of the appropriation is clearly intended for operational purposes. Yet the appropriation is made from the proceeds of Referendum 29 bonds authorized by the voters in 1972. Expenditures of bond proceed funds for purposes other than those specified in the issue and approved by the voters is prohibited by Article VIII, Section 3 of the Washington Constitution, and Referendum 29 clearly contemplates that proceeds from the sale of bonds shall be used for "the planning, acquisition, construction, and improvement of health and social service facilities . . ." Nowhere does Referendum 29 refer to the use of funds for operational purposes.

The conclusion that bond proceeds cannot be expended for operational purposes is reinforced by the definition of "social and health service facilities," which appears in Section 5 of Referendum 29 as follows:

As used in this act, the term "social and health service facilities" shall mean real property, and interests therein, equipment, buildings, structures, mobile units, parking facilities, utilities, landscaping, and all incidental improvements and appurtenances, developed as a part of a comprehensive plan for a system of social and health service facilities for the state . . ."

A further legal problem exists because Referendum 29 creates, as a condition precedent to the expenditure of any moneys, the development of a comprehensive plan for a system of social and health service facilities. While the proposed appropriation contains a legislative finding "that the establishment and development of such a community support center is consistent with and considered an integral part of the comprehensive plan of the Department for a system of social and health service facilities," such a finding would be subject to criticism and challenge as being inconsistent with the intent of Referendum 29.

In addition to these critical legal problems, I would like to point out that the 1973 Legislature appropriated \$250,000 to the Department of Social and Health Services to complete a comprehensive plan for the development of a system of social and health services facilities for the state. This planning process will begin almost immediately. It is expected that the Department will present a completed plan to the 1974 Legislature, and any utilization of facilities at Northern State Hospital will be included as a part of that comprehensive plan. Authorization to continue the Hospital at this time might not only needlessly restrict the Department in developing a comprehensive state plan for social and health services, but might also commit a substantial portion of the resources available under Referendum 29 to the detriment of facilities in other areas of the state.

In addition to continuation of an institution that is not needed, the proposed appropriation appears to contemplate a marked change from the present single program of Northern State Hospital to a multi-service program. This program change would be costly not only because of the unique staffing requirements for a multi-service program, but also because of the high fixed costs of maintaining a large institution such as Northern State Hospital. Although the Legislature has proposed funds to continue the operation of Northern but has not authorized additional staff for this purpose, operation of the hospital would, therefore, require the reassignment of staff to the detriment of other essential programs of the Department of Social and Health Services.

Finally, to ease the transition when major state facilities are closed, I requested that the 1973 Legislature adopt the Economic Impact Act which would have provided assistance to employees displaced and also direct economic assistance to communities affected by institutional closures. This act was not adopted, and I will urge in the strongest possible terms that the Legislature take action on the proposal at its September meeting.

(6) Transfer of Funds. I have vetoed Section 116, which appears on pages 41 and 42, in its entirety.

The Legislature was inadvertently advised to include Section 116 which reduces the allocation of Class H Liquor License revenue transferred to the University of Washington



and Washington State University during the 1973-75 biennium under the provisions of RCW 66.08.180. If this section is not deleted, the University of Washington will receive \$300,000 less than anticipated, Washington State University will receive \$200,000 less than anticipated, and the Division of Health-Department of Social and Health Services will receive \$500,000 more than anticipated for alcoholism programs authorized by RCW 70.96.040.

Although the language of this section does not contain the word "appropriations," in the absence of any specific language to the contrary, the effect is an appropriation of \$500,000 for additional expenditures by the Division of Health. The Alcoholism Program of the Division of Health was funded at the level recommended in my proposed budget for the 1973-75 biennium, and I do not believe the Legislature intended to provide additional funds for that program.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith without my approval SUBSTITUTE SENATE BILL NO. 2897 entitled:

"An Act relating to small loan companies."

This bill would have increased the amount of money which could be loaned by small loan companies from \$1,000 to \$5,000. While it would have lowered from three percent to two and one-half percent per month the interest charged on loans under \$500, it would have increased from one and one-half percent to one and three-quarters percent per month the interest on loans from \$500 to \$1,000. For loans in excess of \$1,000, interest at the rate of one percent per month could be charged for the principal balance in excess of \$1,000, or in the alternative, one and one-half percent per month on the entire unpaid balance.

Several years ago the people, by initiative, imposed a twelve percent limit on the amount of interest which could be charged for purchases made on credit. These types of purchases would include installment buying, revolving charge accounts, and all credit card purchases. Clearly, small loan companies compete directly and indirectly for the credit purchaser's business, and the result of this act would be to further broaden the gap already existing between interest charged directly by the seller and interest to be charged by a small loan company.

Accordingly, for the reasons set out above, I have determined to veto Substitute Senate Bill No. 2897.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.  
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith, without my approval as to one item, SENATE BILL NO. 2918 entitled:

"An Act relating to food fish and shellfish."

This bill establishes a system of regulation of herring fishing in order to preserve this resource within the waters of the state. A major aspect of this act is the requirement that

those who commercially fish for herring have a license issued by the department of fisheries. Further, section six establishes a board of review consisting of three members to hear cases of dispute with regard to licenses. Of the three members on the board, one would be appointed by the Governor, one by the President of the Senate and one by the Speaker of the House. This method of appointment exceeds the traditional limits of the doctrine of separation of powers between executive and legislative branches of government. Should the legislature have specific guidelines or requirements to be followed by a board of review they properly belong in the statute establishing such board, not in a provision giving appointing authority to members of the Legislature.

Accordingly, I have determined to veto that item consisting of section six of Senate Bill No. 2918. With that exception, I have approved the remainder of Senate Bill No. 2918.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

**NOTIFICATION TO SECRETARY OF STATE  
OF LEGISLATURE'S OVERRIDE  
OF GOVERNOR'S PARTIAL VETO**

April 17, 1973.

Honorable A. Ludlow Kramer  
Secretary of State  
Legislative Building  
Olympia, Washington.

Dear Mr. Kramer:

Enclosed is ENROLLED SENATE BILL NO. 2459 as vetoed by Governor Evans on March 20, 1973.

The First Extraordinary Session of the Forty-third Legislature passed the measure notwithstanding the partial veto of Governor Evans. The Senate overrode the Governor's veto by a vote of 40 yeas and 6 nays on April 7, 1973 and the House overrode the Governor's veto by a vote of 79 yeas and 19 nays on April 14, 1973.

Sincerely yours,  
SIDNEY R. SNYDER  
Secretary of the Senate.

## GOVERNOR'S MESSAGES ON SENATE BILLS SIGNED AFTER ADJOURNMENT

Office of the Governor, April 19, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 18, 1973, Governor Evans approved the following Senate Bill entitled:

SENATE BILL NO. 2278: Restricting use of abstracts of driving experience for insurance purposes.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, April 20, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 20, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2025: Changing the amount of money which may be disbursed in the case of a death of a resident at a state institution.

SENATE BILL NO. 2075: Revising the apportionment formula for the grade crossing protective fund.

SENATE BILL NO. 2096: Setting out conditions whereby superintendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180-day school year.

SENATE BILL NO. 2139: Construing the consumer protection act to extend to any unfair practice, act, or method of a camping club in the conduct of its trade or commerce.

SENATE BILL NO. 2146: Permitting the chief of the Washington state patrol to employ special deputies.

SENATE BILL NO. 2190: Granting the power of initiative and referendum to the voters in noncharter code cities.

SENATE BILL NO. 2220: Providing for changes in the billing procedures of the director of general administration.

SENATE BILL NO. 2270: Allowing court to stay order declaring a person an habitual traffic offender if due to alcoholism and person is receiving treatment.

SENATE BILL NO. 2288: Repealing records deposit requirement.

SENATE BILL NO. 2294: Implementing laws relating to the secretary of state.

SENATE BILL NO. 2352: Prohibiting prosecuting attorneys in counties of fourth class and larger from engaging in the private practice of law.

SENATE BILL NO. 2453: Raising compensation of city councilmen in third and fourth class cities.

SENATE BILL NO. 2513: Raising salaries of county officials.

SENATE BILL NO. 2515: Authorizing the investment of trust funds in certain policies of life insurance.

SENATE BILL NO. 2571: Increasing the loan limits of member institutions of industrial development corporations.

SUBSTITUTE SENATE BILL NO. 2589: Setting allowable interest and fees chargeable by pawnbrokers.

SENATE BILL NO. 2643: Permitting bank holding companies to acquire 100% control of one bank, but no more than 25% of more than one bank.

SENATE BILL NO. 2656: Providing savings and loan association may act as a trustee.

SUBSTITUTE SENATE BILL NO. 2736: Making it a misdemeanor to obtain broadcast signals from a cable system without obtaining the permission of the owner of the system.

SENATE BILL NO. 2835: Authorizing an additional method for the disposition of certain property owned by municipal utilities.

SENATE BILL NO. 2847: Permitting professional musicians eighteen years of age to entertain in licensed premises.

SENATE BILL NO. 2890: Setting forth rights to property utilized by the Southwest Washington fair and transferring certain property.

Sincerely,

JOHN H. BRIGHT

Legislative Counsel to the Governor.

Office of the Governor, April 23, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 23, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2045: Providing for the determination of comparative negligence.

SUBSTITUTE SENATE BILL NO. 2105: Adopting the capital budget.

SENATE BILL NO. 2289: Gives option to principals and assistant principals of joining together for separate employer-employee negotiations.

SENATE BILL NO. 2309: Authorizing Expo '74 bonds.

SENATE BILL NO. 2319: Providing for the care and treatment of the criminally insane.

SENATE BILL NO. 2353: Changing the format of ballot titles and petitions.

SENATE BILL NO. 2382: Pertaining to judicial retirement benefits.

SUBSTITUTE SENATE BILL NO. 2407: Creating the Washington higher education assistance authority.

SENATE BILL NO. 2425: Implementing the law relating to write-in-voting at primaries and general elections.

SENATE BILL NO. 2490: Granting victims of crime compensation under certain conditions.

SENATE BILL NO. 2491: Authorizing the department of social and health services to make payment of state funds to counties for special adult supervision programs.

SENATE BILL NO. 2552: Authorizing continued support of the Puget Sound reserve account.

SUBSTITUTE SENATE BILL NO. 2554: Providing for prevention of cruelty to animals.

SENATE BILL NO. 2590: Revising provisions regarding urban arterial trust account funds.

SENATE BILL NO. 2614: Specifying a rate classification for inheritance taxation.

SENATE BILL NO. 2621: Implementing the laws relating to snowmobiles.

SENATE BILL NO. 2672: Establishing a federal revenue sharing trust fund.

SUBSTITUTE SENATE BILL NO. 2739: Clarifying college and university fee structure for bonding purposes.

SUBSTITUTE SENATE BILL NO. 2740: Adopting the budget for the institutions of higher education and the community colleges.

SUBSTITUTE SENATE BILL NO. 2741: Relating to the regulation of vehicle dealers.

SENATE BILL NO. 2762: Providing a method for hiring certain supervisory employees in the department of social and health services.

SENATE BILL NO. 2803: Adopting a budget for the superintendent of public instruction.

SENATE BILL NO. 2805: Authorizing bonds for capital improvements at institutions of higher learning.

SUBSTITUTE SENATE BILL NO. 2813: Providing financial support for public mass transit programs.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, April 25, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 24, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2040: Increasing the age limit for applying gift tax exclusion.

SUBSTITUTE SENATE BILL NO. 2066: Modifying insurance programs for state employees and expanding the state employees' insurance board.

SENATE BILL NO. 2088: Permitting cosmetologists to serve men and women.

SENATE BILL NO. 2098: Permitting county treasurers to invest in certain securities.

SENATE BILL NO. 2119: Authorizing retirement plans, including old age annuities, for faculty members and other employees of community colleges.

SUBSTITUTE SENATE BILL NO. 2247: Revising state tax structure.

SUBSTITUTE SENATE BILL NO. 2250: Implementing the laws relating to motor vehicle size, weight and load.

SUBSTITUTE SENATE BILL NO. 2336: Providing procedures for civil commitment.

SENATE BILL NO. 2361: Providing for review of and rebuttal to arguments in the voter's pamphlet.

SENATE BILL NO. 2452: Authorizing cities to acquire certain unfit dwelling units.

SENATE BILL NO. 2522: Amending provisions regarding state highway routes.

SENATE BILL NO. 2524: Making certain changes in the laws relating to insurance.

SENATE BILL NO. 2544: Providing for registration of contractors by the department of labor and industries.

SENATE BILL NO. 2841: Providing a sales tax exemption for hospital laundry services.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, April 26, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 25, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2101: Providing for the regulation and licensing of plumbers.

SENATE BILL NO. 2317: Changing penalties under Washington clean air act.

SENATE BILL NO. 2337: Making appropriations for city streets, county roads, and other nonstate highways.

SENATE BILL NO. 2378: Providing for the sale of certain property held by the highway department.

SENATE BILL NO. 2504: Establishing a board on geographic names.

SUBSTITUTE SENATE BILL NO. 2531: Defining environmental impact statement requirements.

SENATE BILL NO. 2570: Revising operation of the Washington state patrol retirement system.

SUBSTITUTE SENATE BILL NO. 2586: Providing for minimum benefits of firemen and police pensions.

SENATE BILL NO. 2790: Setting the amount of forest fire protection assessments.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

Office of the Governor, April 27, 1973.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on April 26, 1973, Governor Evans approved the following Senate Bills entitled:

SENATE BILL NO. 2311: Requiring transportation agencies to submit a recommended budget for the ensuing biennium to the governor and legislature.

SUBSTITUTE SENATE BILL NO. 2717: Creating an organized crime intelligence unit.

SENATE BILL NO. 2833: Authorizing certain docks for single family residences with a twenty-five hundred dollar construction cost limitation.

SENATE BILL NO. 2866: Relating to revenue and taxation.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel to the Governor.

SENATE ROSTER—1973

FORTY-THIRD LEGISLATURE—REGULAR AND FIRST EXTRAORDINARY SESSIONS

JOHN A. CHERBERG, President

AL HENRY, President Pro Tempore

JAMES E. KEEFFE, Vice President Pro Tempore

SIDNEY R. SNYDER, Secretary

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Atwood, R. Frank.....	42	Whatcom, part	220 Bellingham Nat'l Bk. Bldg., Bellingham 98225	46	Massachusetts	R	Attorney	S—1963-68 Ex.-65-66 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73 Ex.
Bailey, Robert C.....	19	Grays Harbor-Pacific, part	Box 146 South Bend 98586	54	Washington	D	West. Adm. Asst. for Hon. Julia Butler Hansen	S—1967-69 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73 Ex. H—1961-61 Ex.-61 2nd Ex.-63-63 Ex.-65-65 Ex.
Bottiger, Ted R. ....	2	Pierce, part-Thurston, part	8849 Pacific Ave., Tacoma 98444	40	Washington	D	Attorney	S—1973-73 Ex. H—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Canfield, Damon R.....	8	Benton-Yakima, part	1368 Upland Dr., Sunnyside 98944	75	Arkansas	R	School Teacher, Retired Fruit and Cattle Rancher	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1953-53 Ex.-55-55 Ex.-67-69-69 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.
Clarke, George W.....	41	King, part	3835 W. Mercer Way, Mercer Island 98040	66	Iowa	R	Attorney	S—Appointed 1/8/71 1971 Ex.-72 Ex.-73-73 Ex. H—1967-67 Ex.-70 Ex.
Connor, Frank T.....	38	King, part	3201 S. Massachusetts, Seattle 98144	56	Washington	D	Real Estate	S—Appointed 1/24/57 1957-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1961-61 Ex.-61 2nd Ex.-63-63 Ex.-65-65 Ex.-67
Day, William S.....	4	Spokane, part-Whitman, part	E. 2721 Sprague Spokane 99202	50	Illinois	D	Chiropractor	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1969-69 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.

## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Donohue, Hubert F.....	9	Adams-Asotin-Garfield-Columbia, part-Grant, part-Whitman, part	Rt. 2, Box 13, Dayton 99828	51	Washington	D	Farmer	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Dore, Fred H.....	45	King, part	1424 Washington Bldg., Seattle 98101	47	Washington	D	Attorney	S—Appointed 9/11/59 1959 Ex.-61-61 Ex.-69-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1953-53 Ex.-55-55 Ex.-57-59
Durkan, Martin J.....	47	King, part	404 Olympic Nat'l Life Bldg., Seattle 98104	43	Montana	D	Attorney	S—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1957
Fleming, George .....	37	King, part	1100 Lake Wash. Blvd., So. Seattle 98144	34	Texas	D	Pacific Northwest Bell Personnel Supervisor	S—1971-71 Ex.-72 Ex.-73-73 Ex. H—1969-69 Ex.-70 Ex.
Francis, Peter D.....	32	King, part	7310 E. Green Lake Dr., N., Seattle 98115	38	Washington	D	Attorney	S—Appointed 12/1/69 1970 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1969-69 Ex.
Gardner, Booth .....	26	Kitsap, part-Pierce, part	520 N. Stadium Way, Tacoma 98403	36	Washington	D	President, Laird Norton Company	S—1971-71 Ex.-72 Ex.-73-73 Ex.
Grant, Gary .....	11	King, part	2523 132nd SE, Kent 98031	38	Wisconsin	D	Labor Union Pres.	S—1973-73 Ex. H—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Greive, R. R. Bob.....	34	King, part	4444 California Ave., S.W., Seattle 98116	53	Washington	D	Attorney	S—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Guess, Sam C.....	6	Spokane, part	W. 408-33rd Ave., Spokane 99203	63	Mississippi	R	Civil Engineer	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.



## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Henry, Al	17	Clark part-Klickitat-Shamania	Rio Vista White Salmon 98672	61	Kansas	D	Telephone Executive	S—1957-59-59 Ex.-61-61 Ex.-69-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1941-45-51-51 Ex.-61 2nd Ex.-55-55 Ex.
Herr, Gordon	31	King, part	10617-21st S. W., Seattle 98146	46	Washington	D	Association Executive	S—Appointed 1/20/64 1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1963-63 Ex.
Jolly, Dan	16	Franklin-Walla-Walla-Columbia, part	Box 185, Connell 99326	65	Washington	D	Farmer	S—1971-71 Ex.-72 Ex.-73-73 Ex. H—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Jones, John D.	48	King, part	18 Bridlewood Circle, Kirkland 98033	49	Wales	R	Manager, Bellevue- Issaquah Pac. N.W. Bell	S—Appointed 1/8/1973 1973 Ex. H—1971-71 Ex.-72 Ex.
Keefe, James Edward...	3	Spokane, part	727 E. Sinto, Spokane 99205	64	New York	D	Sales Manager	S—1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Knoblauch, Reuben A...	25	King, part-Pierce, part	P. O. Box 306, Sumner 98390	53	Washington	D	Right-of-Way Dept., Pierce County Engineer's Dept.	S—1963-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Lewis, Harry B.	22	Thurston, part	2019 Clairemont Circle, Olympia 98502	45	Pennsylvania	R	Owner-Mgr., Wood Fabricators, Inc.	S—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1961-61 Ex.-63-63 Ex.
Lewis, R. H. (Bob)	5	Spokane, part	W. 4329 Arrowhead Rd., Spokane 99208	47	Washington	R	Vice Pres., Pub. Relations, Lincoln First Fed Savings & Loan Assn.	S—1973-73 Ex.

## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Mardesich, August P.....	38	Snohomish, part	4712 Merrimont Dr., Everett 98223	52	California	D	Attorney, Commercial Fisherman	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71 71 Ex.-72 Ex.-73-73 Ex. H—1960 Ex.-51 Ex.-51 2nd Ex.-65-65 Ex.-65-65 Ex.-67- 69-69 Ex.-61-61 Ex.
Marsh, Daniel G.....	49	Clark, part	P.O. Box 1086 Vancouver 98660	35	Oregon	D	Attorney	S—1973-73 Ex. H—1965-68 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Matson, Jim .....	14	Yakima, part	Rt. 2, Box 2311 Selah 98942	45	Washington	R	Fruit Grower, Shipper	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Mattingly, Michael W...	30	King, part	3818 S.W. Dash Point Rd., Federal Way 98002	29	Washington	R	Line Driver Supv.	S—Appointed 3/20/73 1973 Ex.
Metcalf, Jack .....	21	Snohomish, part	7421-46th W., Box 4 Mukilteo 98276	45	Washington	R	Teacher	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1961-61 Ex.-63-63 Ex.
Murray, John S.....	36	King, part	8 W. Roy St., Seattle 98119	47	Missouri	R	Publisher	S—1971-71 Ex.-72 Ex.- 73-73 Ex. H—1967-67 Ex.-69-69 Ex.- 70 Ex.
Newschwander, Charles E. ....	28	Pierce, part	2140 Bridgeport Way, Tacoma 98466	52	Washington	R	Dentist	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.
Odegaard, Gary M.....	20	Lewis-Wahkiakum- Cowlitz, part-Pacific, part-Thurston, part	Star Rt. 1, Box 1-A, Onalaska 98570	32	Washington	D	Teacher	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Peterson, Lowell .....	40	San Juan-Skagit- Whatcom, part	Box 249, Concrete 98237	51	Washington	D	Oil Distributor	S—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Peterson, Ted G.....	44	King, part	2345 N.W. Blue Ridge Dr., Seattle 98177	68	Washington	R	President, Peterson Supply & Equip- ment Co.	S—1955-55 Ex.-67-63 Ex.-65- 65 Ex.-67-67 Ex.-69-69 Ex.- 70 Ex.-71-71 Ex.-72 Ex.- 73-73 Ex.

## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Rasmussen, A. L.	29	Pierce, part	5415 A. St., Tacoma 98408	63	Washington	D	Machinist	S—1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex. Appointed 10/1/71 1972 Ex.-73-73 Ex. H—1945-47-49-50 Ex.-61-61 Ex.-51 2nd Ex.-63-63 Ex.-65-65 Ex.-67-69-69 Ex.
Ridder, Robert C. (Bob)	35	King, part	5809 S. Roxbury, Seattle 98118	45	Washington	D	Vice Principal, Junior High School	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Sandison, Gordon	24	Clallam-Jefferson-Mason-Thurston, part	P. O. Box 2025, Port Angeles 98362	52	Washington	D	Insurance Broker	S—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Scott, George W.	46	King, part	2530 N.E. 105th Pl., Seattle 98125	35	Washington	R	Assistant to Dean for Development (U. of W. Med. School).	S—1971-71 Ex.-72 Ex.-73-73 Ex.
Sellar, George L.	12	Chelan-Douglas-Grant, part-Okanogan, part	1324 Terrace Dr., East Wenatchee 98801	43	Illinois	R	Personnel Manager, Eye and Ear Clinic	S—Appointed 1/7/72 1972 Ex.-73-73 Ex.
Stender, John H.	30	King, part	27504 Military Rd., Auburn 98002	56	Montana	R	Union Officer	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. (Resigned 3/19/73)
Storini, Joe	27	Pierce, part	1623 Firlands Dr., Tacoma 98406	40	Washington	D	Teacher	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Talley, Don L.	18	Clark, part-Cowitz, part	1583 Mt. Pleasant Rd., Kelso 98626	54	Washington	D	Supervisor, Port of Longview	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Twigg, Robert W.	7	Ferry-Lincoln-Pend Oreille-Stevens-Okanogan, part-Spokane, part	817 Northtown Bldg., Spokane 99207	47	Washington	R	Attorney, Real Estate Broker	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.

## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Van Hollebeke, Ray ...	1	King, part-Snohomish, part	18735-53rd Ave., N.E., Seattle 98155	43	Illinois	D	Real Estate Consultant	S—1973-73 Ex.
Walgren, Gordon L.....	23	Kitsap, part	245 Fourth St. Bldg., Bremerton 98310	39	Washington	D	Attorney	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1967-67 Ex.
Wanamaker, F. "Pat"...	10	Island-Snohomish, part	Rt. 1, Box 193A, Coupeville 98239	62	Washington	R	Retired	S—1973-73 Ex. H—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Washington, Nat W.....	13	Kittitas-Grant, part- Yakima, part	42 C St. N.W., Ephrata 98823	58	Washington	D	Attorney	S—1961-61 Ex.-61 2nd Ex.-63-63 Ex.-65-65 Ex.-67-69 Ex.- 61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—1949-60 Ex.
Whetzel, Jonathan .....	43	King, part	1511 E. Olin Place, Seattle 98112	46	Pennsylvania	R	Vice Pres., KING Broadcasting Co.	S—1971-71 Ex.-72 Ex.-73-73 Ex. H—1965-65 Ex.-67-67 Ex.-69- 69 Ex.-70 Ex.
Woodall, Perry B.....	15	Yakima, part	P.O. Box 607, Toppenish 98948	60	Washington	R	Attorney	S—Appointed 12/26/66 1967-69-69 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 Ex.-73-73 Ex. H—1969-41-43-47-49-60 Ex.-61-61 Ex.-61 2nd Ex.
Woody, Frank.....	39	King, part- Snohomish, part	24228-47th, Woodinville 98043	35	Montana	D	Attorney	S—1973-73 Ex.

## Senate Roster—1973, Forty-Third Legislature—Regular and First Extraordinary Sessions—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Lieutenant Governor Cherberg, John A.....			President of the Senate Legislative Bldg., Olympia 98504	62	Florida	D	Lieutenant Governor	S—Elected 1967 1969-69 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 Ex.-73-73 Ex.
Snyder, Sidney R.....			Secretary of the Senate P. O. Box 531, Long Beach 98631	46	Washington	D	Owner, Operator Supermarket	S—Elected 5/12/69 1970 Ex.-71-71 Ex.-72 Ex.-73-73 Ex. H—Served as Asst. Chief Clerk or Acting Chief Clerk 1967 to May, 1969
Johnson, Charles L. R..			Sergeant at Arms 624 Carlyon, Olympia 98501	61	Washington	D	Merchant	S—Elected 1967-69-61-63-65-67- 69-70-71-72-73 H—House Member 1961 Served as Sergeant at Arms 1965

**STANDING COMMITTEES OF THE SENATE  
1973 REGULAR AND FIRST EXTRAORDINARY  
SESSIONS**

JOHN A. CHERBERG, President  
AL HENRY, President Pro Tempore  
JAMES E. KEEFE, Vice President Pro Tempore  
SIDNEY R. SNYDER, Secretary

AGRICULTURE (7)—JOLLY, CHAIRMAN; Day, Donohue, Matson, Sellar, Twigg, Washington.

COMMERCE (7)—GREIVE, CHAIRMAN; Francis, Herr, Lewis, R. H. (Bob), Peterson (Lowell), Wanamaker, Whetzel.

CONSTITUTION AND ELECTIONS (7)—GRANT, CHAIRMAN; Canfield, Gardner, Mattingly (appointed 3-20-73), Metcalf, Stender (resigned 3-19-73), Stortini, Washington.

ECOLOGY (7)—WASHINGTON, CHAIRMAN; Donohue, Guess, Murray, Stortini, Van Hollebeke, Whetzel.

EDUCATION (7)—GARDNER, CHAIRMAN; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson (Ted).

FINANCIAL INSTITUTIONS (7)—DORE, CHAIRMAN; Clarke, Jones, Keefe, Mardesich, Newschwander, Walgren.

HIGHER EDUCATION (7)—SANDISON, CHAIRMAN; Donohue, Durkan, Guess, Marsh, Metcalf, Scott.

JUDICIARY (11)—FRANCIS, CHAIRMAN; WOODY, VICE CHAIRMAN; Atwood, Bottiger, Clarke, Dore, Durkan, Greive, Twigg, Van Hollebeke, Woodall.

LABOR (7)—CONNOR, CHAIRMAN; Fleming, Grant, Jones, Matson, Mattingly (appointed 3-20-73), Ridder, Stender (resigned 3-19-73).

LOCAL GOVERNMENT (11)—FLEMING, CHAIRMAN; RIDDER, VICE CHAIRMAN; Connor, Gardner, Jolly, Lewis, R. H. (Bob), Murray, Sellar, Talley, Walgren, Whetzel.

NATURAL RESOURCES (7)—PETERSON (LOWELL), CHAIRMAN; Lewis (Harry), Metcalf, Peterson (Ted), Rasmussen, Sandison, Talley.

PARKS AND RECREATION (7)—KNOBLAUCH, CHAIRMAN; Bailey, Canfield, Jones, Odegaard, Wanamaker, Woody.

RULES (14)—LIEUTENANT GOVERNOR CHERBERG, CHAIRMAN; Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis (Harry), Mardesich, Marsh, Peterson (Ted) (appointed 3-20-73), Stender (resigned 3-19-73), Talley, Woodall.

SOCIAL AND HEALTH SERVICES (13)—DAY, CHAIRMAN; VAN HOLLEBEKE, VICE CHAIRMAN; Clarke, Connor, Francis, Greive, Herr, Jones, Keefe, Murray, Ridder, Twigg, Woodall, Woody.

STATE GOVERNMENT (7)—RASMUSSEN, CHAIRMAN; Day, Henry, Knoblauch, Lewis (Harry), Scott, Wanamaker.

TRANSPORTATION AND UTILITIES (17)—WALGREN, CHAIRMAN; HENRY, VICE CHAIRMAN; STORTINI, VICE CHAIRMAN; Bottiger, Guess, Jolly, Knoblauch, Lewis, R. H. (Bob), Matson, Mattingly (appointed 3-20-73), Peterson (Lowell), Rasmussen, Sellar, Stender (resigned 3-19-73), Talley, Wanamaker, Washington, Whetzel.

WAYS AND MEANS (19)—DURKAN, CHAIRMAN; DONOHUE, VICE CHAIRMAN; ODEGAARD, VICE CHAIRMAN; Atwood, Bailey, Canfield, Dore, Fleming, Gardner, Grant, Lewis (Harry), Mardesich, Marsh, Metcalf, Newschwander, Peterson (Ted), Ridder, Sandison, Scott.

## SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS 1973 REGULAR AND FIRST EXTRAORDINARY SESSIONS

- ATWOOD (R. Frank)—Judiciary; Rules; Ways and Means.
- BAILEY (Robert C.)—Parks and Recreation; Rules; Ways and Means.
- BOTTIGER (R. Ted)—Education; Judiciary; Rules; Transportation and Utilities.
- CANFIELD (Damon R.)—Constitution and Elections; Parks and Recreation; Ways and Means.
- CLARKE (George W.)—Financial Institutions; Judiciary; Social and Health Services.
- CONNOR (Frank T.)—Chairman: Labor; Local Government; Social and Health Services.
- DAY (William S.)—Chairman: Social and Health Services; Agriculture; State Government.
- DONOHUE (Hubert F.)—Vice Chairman: Ways and Means; Agriculture; Ecology; Higher Education.
- DORE (Fred H.)—Chairman: Financial Institutions; Judiciary; Ways and Means.
- DURKAN (Martin J.)—Chairman: Ways and Means; Higher Education; Judiciary.
- FLEMING (George)—Chairman: Local Government; Education; Labor; Ways and Means.
- FRANCIS (Pete)—Chairman: Judiciary; Commerce; Social and Health Services.
- GARDNER (Booth)—Chairman: Education; Constitution and Elections; Local Government; Ways and Means.
- GRANT (Gary)—Chairman: Constitution and Elections; Labor; Ways and Means.
- GREIVE (R. R. Bob)—Chairman: Commerce; Judiciary; Social and Health Services.
- GUESS (Sam C.)—Ecology; Higher Education; Rules; Transportation and Utilities.
- HENRY (Al)—Vice Chairman: Transportation and Utilities; Rules; State Government.
- HERR (Gordon)—Commerce; Rules; Social and Health Services.
- JOLLY (Dan)—Chairman: Agriculture; Local Government; Transportation and Utilities.
- JONES (John D.)—Financial Institutions; Labor; Parks and Recreation; Social and Health Services.
- KEEFE (James E.)—Financial Institutions; Rules; Social and Health Services.
- KNOBlauch (Reuben A.)—Chairman: Parks and Recreation; State Government; Transportation and Utilities.
- LEWIS (Harry B.)—Natural Resources; Rules; State Government; Ways and Means.
- LEWIS (R. H. (Bob))—Commerce; Local Government; Transportation and Utilities.
- MARDESICH (August P.)—Financial Institutions; Rules; Ways and Means.
- MARSH (Dan)—Higher Education; Rules; Ways and Means.
- MATSON (Jim)—Agriculture; Labor; Transportation and Utilities.
- MATTINGLY (Michael W.)—Constitution and Elections; Labor; Transportation and Utilities. (Appointed 3-20-73)
- METCALF (Jack)—Constitution and Elections; Higher Education; Natural Resources; Ways and Means.
- MURRAY (John S.)—Ecology; Education; Local Government; Social and Health Services.
- NEWSCHWANDER (Charles E.)—Education; Financial Institutions; Ways and Means.
- ODEGAARD (Gary M.)—Vice Chairman: Ways and Means; Education; Parks and Recreation.
- PETERSON (Lowell)—Chairman: Natural Resources; Commerce; Transportation and Utilities.
- PETERSON (Ted G.)—Education; Natural Resources; Rules; Ways and Means.
- RASMUSSEN (A. L.)—Chairman: State Government; Natural Resources; Transportation and Utilities.
- RIDDER (Robert C.)—Vice Chairman: Local Government; Labor; Ways and Means.
- SANDISON (Gordon)—Chairman: Higher Education; Natural Resources; Ways and Means.
- SCOTT (George W.)—Higher Education; State Government; Ways and Means.
- SELLAR (George L.)—Agriculture; Local Government; Transportation and Utilities.
- STENDER (John H.)—Constitution and Elections; Labor; Rules; Transportation and Utilities. (Resigned 3-19-73)

- STORTINI (Joe)**—Vice Chairman: Transportation and Utilities; Constitution and Elections; Ecology.
- TALLEY (Don L.)**—Local Government; Natural Resources; Rules; Transportation and Utilities.
- TWIGG (Robert W.)**—Agriculture; Judiciary; Social and Health Services.
- VAN HOLLEBEKE (Ray)**—Vice Chairman: Social and Health Services; Ecology; Judiciary.
- WALGREN (Gordon L.)**—Chairman: Transportation and Utilities; Financial Institutions; Local Government.
- WANAMAKER (F. Pat)**—Commerce; Parks and Recreation; State Government; Transportation and Utilities.
- WASHINGTON (Nat W.)**—Chairman: Ecology; Agriculture; Constitution and Elections; Transportation and Utilities.
- WHETZEL (Jonathan)**—Commerce; Ecology; Local Government; Transportation and Utilities.
- WOODALL (Perry B.)**—Judiciary; Rules; Social and Health Services.
- WOODY (Frank)**—Vice Chairman: Judiciary; Parks and Recreation; Social and Health Services.



**STATUTORY COMMITTEE APPOINTMENTS  
1973-1975**

**AMERICAN REVOLUTION BICENTENNIAL COMMITTEE  
(RCW 43.125.010)**

**SENATORS**

George W. Scott  
Nat W. Washington

**REPRESENTATIVES**

C. W. "Red" Beck  
Hal Zimmerman

**OTHER APPOINTEES**

Bruce LeRoy, Chairman

Dr. Bernard E. Bobb  
Dr. John Brougher  
Ruby Chow  
Dr. James Furman  
John F. Gordon  
Frank Hayes  
Al Hunter  
Judge Bert C. Kale  
A. Ludlow Kramer  
Walter E. Lawrie

Dr. Charles H. Odegaard  
Dorothy Prior  
Rev. Andrew M. Prouty  
Maryan Reynolds  
Glynn Ross  
William H. Trogdon  
Joan E. Van Divort  
George Whitney  
Frank Wright

**ARTS COMMISSION, WASHINGTON STATE  
(RCW 43.46.020)**

**SENATOR**

Fred H. Dore

**REPRESENTATIVE**

William Polk

**OTHER APPOINTEES**

James Haseltine, Executive Director

Robert Buchanan  
Kenneth Callahan  
Howard O. Deming  
Paul Friedlander  
Thomas Givan  
Mrs. Robert Golberg  
Mrs. Paul G. Harper  
Sherman Huffine  
Barbara Ireland  
Alan Liddle

Jack I. Mayer  
Delbert McBride  
Mrs. Bootsy Semon  
Mrs. Jean Sprague  
Mrs. Bruce (Mary) Stevenson  
Dr. Alfred J. Stojowski  
John Tenold  
Donald G. Williams  
Mrs. Thomas O. Williams

**BUDGET COMMITTEE, LEGISLATIVE  
(RCW 44.28.010)**

**SENATORS**

R. Frank Atwood, Vice Chairman  
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Hubert F. Donohue  
Booth Gardner  
Daniel G. Marsh  
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William "Bill" Chatalas, Secretary  
Robert (Bob) Curtis, Assistant Secretary  
Jerry C. Kopet, Executive Committee  
Sid W. Morrison  
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A. N. (Bud) Shinpoch  
Alan Thompson

**COLUMBIA INTERSTATE COMPACT COMMISSION  
(RCW 43.57.010)**

**SENATORS**

Al Henry  
Jim Matson

**REPRESENTATIVES**

Eugene L. Laughlin  
Irving Newhouse

**OTHER APPOINTEES**

H. Maurice Ahlquist

**CRIME (ORGANIZED) INTELLIGENCE ADVISORY BOARD  
(RCW 43.43)**

**SENATORS**

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Martin Durkan  
Pete Francis  
Harry B. Lewis

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Jeannette Hayner  
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**EDUCATION COMMISSION OF THE STATES  
(RCW 28A.92.020)**

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**OTHER APPOINTEES**

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Mrs. Jerome Freiberg  
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**ETHICS COMMITTEE, LEGISLATIVE  
(RCW 44.60.020)**

**SENATORS**

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Charles E. Newschwander  
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**HOUSE LAY MEMBERS**

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**EXPO '74 COMMISSION  
(RCW 43.96B)**

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Clair Jones  
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**FACILITIES AND OPERATIONS COMMITTEE****SENATORS**

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**FOREST TAX COMMITTEE  
(RCW 84.33.180)**

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 Norman R. McDonnell

Peter E. Overton  
 Sidney Parker  
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**GAMBLING COMMISSION, WASHINGTON STATE**  
 (HB 711, CH. 218, Laws 1973 1st ex. sess.)

**SENATORS**

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 Albert Pasquan, Vice Chairman  
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**HIGHER EDUCATION, COUNCIL ON**  
 (RCW 28B.80.040)

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 Richard P. Wallenberg  
 Walter B. Williams  
 Marion E. Wilson

**INSURANCE BOARD, STATE EMPLOYEES'**  
 (RCW 41.05.020)

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Norm Schut  
Ralph Seeman**JUDICIAL COUNCIL  
(RCW 2.52.010)****SENATORS**George W. Clarke  
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Frank J. Woody**REPRESENTATIVES**Kenneth Eikenberry  
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Lorraine Wojahn**OTHER APPOINTEES**

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Slade Gorton  
Dale M. Green  
Ronald L. Hendry  
Lewis H. Orland  
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Daniel Reaugh  
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Willard J. RoeLuvern V. Rieke, Executive Secretary  
Gerald Shucklin  
Joseph A. Sinclitico, Jr.  
Hardyn B. Soule  
Charles F. Stafford  
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(RCW 44.39.010)****SENATORS**Damon R. Canfield  
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(RCW 43.94.020)****SENATORS**John S. Murray, Vice Chairman  
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**PUBLIC EMPLOYEES COLLECTIVE BARGAINING, INTERIM COMMITTEE ON  
(RCW 41.56.405)**

**SENATORS**

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Chet Ramage  
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**PUBLIC PENSION COMMISSION, STATE  
(RCW 41.52.010)**

**SENATORS**

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Robert C. "Bob" Ridder, Secretary  
(Resigned 7-29-73)  
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Joe Stortini

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Frances North  
Dick Smythe

**OTHER APPOINTEES**

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Burle Bramhall  
Percy Lockitch

Eldon Marshall  
Richard Wyman

**STATUTE LAW COMMITTEE  
(RCW 1.08.001)**

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Pete Francis

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Axel C. Julin  
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Bernard Gallagher  
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Charles P. Moriarty  
Charles Olson

**TRANSPORTATION COMMITTEE, LEGISLATIVE  
(RCW 44.40.010)****SENATORS**

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Martin J. Durkan  
Sam C. Guess  
Al Henry  
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Reuben A. Knoblauch  
Jim Matson  
Lowell Peterson  
George L. Sellar  
F. "Pat" Wanamaker  
Nat W. Washington

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Otto Amen  
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James E. Gilleland  
Hugh Kalich  
Paul Kraabel  
Geraldine McCormick  
Robert A. Perry  
William "Bill" Shumaker

**SENATE BILLS PASSED BY SENATE AND HOUSE SHOWING  
THE ACTION BY THE GOVERNOR THEREON  
1973**

**FORTY-THIRD LEGISLATIVE SESSION  
REGULAR AND FIRST EXTRAORDINARY**

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
2008	Children, divorced parent, address .....	152	3/20/73	6/ 7/73
2021	Annual general elections .....	4	1/25/73	1/25/73
2025	Institutions, deceased residents' funds .....	76x	4/20/73	7/16/73
2033	Ballot measures, recount, payment .....	82	3/14/73	6/ 7/73
2036	Corrections division created .....			vetoed
Sub 2037	Farm vehicles, oversize, highway use .....	1x	3/21/73	7/16/73
2038	Nature conservancy lands, tax exemption .....	112	3/19/73	6/ 7/73
2039	Curb ramps, physically handicapped .....	83	3/14/73	6/ 7/73
2040	Gift tax exclusion, age limit, increased .....	146x	4/24/73	7/16/73
2042	Attorneys' fees, certain actions, allowance .....	84	3/14/73	6/ 7/73 (12:01 a.m.)
2045	Comparative negligence, determination .....	138x	4/23/73	4/ 1/74
2048	Court records, destruction, contract period .....	14	3/ 6/73	6/ 7/73
2053	County central committee meeting, date change .....	85	3/14/73	6/ 7/73
2054	Driver's licenses, reinstatement fee .....	36x	3/26/73	7/16/73**
2055	Occupational driver's license, petition .....	5	2/20/73	2/20/73
2056	Vehicles for hire, liability insurance .....	15	3/ 6/73	6/ 7/73
Sub 2066	State employees' insurance programs, modification .....	147x	4/24/73	7/16/73
2069	Defense counsel payments, justice courts .....	10x	3/28/73	3/28/73
2071	Justices of peace, certain districts, additional .....	14x	4/10/73	7/16/73
2072	Police pensions, beneficiaries, payments .....	143	3/20/73	6/ 7/73
2074	Fire district commissioners, compensation waiver .....	86	3/14/73	6/ 7/73
2075	Grade crossing protection fund, apportionment revision .....	77x	4/20/73	7/16/73
2079	Microfilming equipment, acquisition .....	12	2/23/73	6/ 7/73
2080	Court fees, criminal cases .....	16	3/ 6/73	6/ 7/73
2081	Institutional funds, uniform management act .....	17	3/ 6/73	6/ 7/73
2082	Judicial council, county clerk inclusion .....	18	3/ 6/73	6/ 7/73
2084	Judges pro tempore, retirement credit .....			vetoed
2088	Cosmetologists, serve men and women .....	148x	4/24/73	7/16/73
2089	Forms management program created .....	13	2/23/73	6/ 7/73
2093	Federal funds, expenditure, procedures .....	144	3/20/73	6/ 7/73
2096	School year, less than 180 days, moneys .....	78x	4/20/73	4/20/73
2098	County investments, U.S. government securities .....	140x	4/24/73	7/16/73
Sub 2099	Fire protection districts, service charges .....			vetoed
2100	Consolidated school district, director election .....	19	3/ 6/73	6/ 7/73
2101	Plumbers, regulation, licensing .....	175x	4/25/73	7/16/73
Sub 2105	Capital budget .....	114x	4/23/73	4/23/73
Sub 2106	Supplemental budget .....	8	2/20/73	*
	*Sec. 2, 2/1/73; Remainder, 2/20/73			
2109	Services, state advance payment procedure .....	104	3/19/73	6/ 7/73
2111	Credit unions, general revisions .....	8x	3/27/73	7/16/73
Sub 2113	Hospital costs, rates, study .....	5x	3/23/73	7/16/73
2119	Higher education facilities, retirement plans, revisions .....	149x	4/24/73	7/ 1/74
2125	Prisoners, furloughs, standards .....	20	3/ 6/73	6/ 7/73
2139	Camping clubs, consumer protection act coverage .....	79x	4/20/73	7/16/73
2146	State Patrol, special deputies .....	80x	4/20/73	7/16/73
2153	Community college professional negotiations act— revisions .....	205x	4/25/73	4/26/73**

\*\*partial veto



## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
2163	Community colleges, military personnel education program .....	105	3/19/73	3/19/73
2176	Port districts, commissioner, insurance coverage furnished .....	6x	3/26/73	7/16/73
2179	Port districts, property rent guarantee insurance .....	87	3/14/73	6/ 7/73
2183	Electricians—regulation and licensing .....	206x	4/26/73	7/16/73**
2187	Lie detector tests, prohibited uses .....	145	3/20/73	6/ 7/73
2190	Initiative and referendum powers, noncharter code cities .....	81x	4/20/73	7/16/73
2194	Needy or disadvantaged students, financial assistance grants .....	81	3/13/73	6/ 7/73
2213	Registered nurses—regulation .....	133	3/19/73	6/ 7/73**
2220	General administration dept., agency space occupancy, billing procedures .....	82x	4/20/73	7/ 1/73
Sub 2226	Landlord-Tenant Act .....	207x	4/26/73	7/16/73**
Sub 2227	Superior court judges—increased .....	27x	4/14/73	7/16/73
2240	Interstate parole and probation hearing procedure .....	21	3/ 6/73	7/ 1/73
2246	Rules of the road; slow moving vehicles, mandatory turn off .....	88	3/14/73	6/ 7/73
Sub 2247	State tax structure, revisions, income tax established .....	141x	4/24/73	1/ 1/74
Sub 2250	Motor vehicles, gross load provisions, revisions .....	150x	4/24/73	7/16/73
2251	Mutual corporations, name requirements .....	113	3/19/73	6/ 7/73
2252	Foreign corporations, articles of incorporation, filing requirement .....	89	3/14/73	6/ 7/73
2253	Nonprofit corporations, annual report filing requirement .....	90	3/14/73	6/ 7/73
2256	Juvenile probation services, alternative subsidy programs .....	198x	4/25/73	7/ 1/73**
2257	Motor vehicles, nonresident operators, summons service fee, increase .....	91	3/14/73	6/ 7/73
2258	Mutual corporations, annual report, filing date, content requirements .....	146	3/20/73	6/ 7/73
2268	Land Sales Development Act .....	12x	4/ 9/73	1/ 1/74
2270	Habitual traffic offenders, treatment programs, court stay order .....	83x	4/20/73	7/16/73
2275	Uniform alcoholism treatment act; effective date, progress report .....	92	3/14/73	6/ 7/73
2278	Insurance, driver experience abstracts, use limitation .....	37x	4/20/73	7/16/73
2282	Legal proceedings, interpreters, impaired persons .....	22	3/ 6/73	6/ 7/73
2287	School district organization .....			vetoed
2288	Notaries public, records deposit, repealed .....	84x	4/25/73	7/16/73
2289	School districts, labor negotiations, principals and assistant principals .....	115x	4/23/73	7/16/73
2293	Refunding bonds, obligation, redemption .....	25x	4/10/73	4/10/73
2294	Secretary of State, publication, charge authority .....	85x	4/20/73	4/20/73
2309	Expo '74, state pavilion, bonds authorized .....	116x	4/23/73	4/23/73
2311	State transportation agencies, six year comprehensive program, mandatory biennial budget .....	201x	4/26/73	7/16/73
2312	Public printing, legal notices, rates increased .....	28x	4/14/73	7/16/73
2317	Clean Air Act, penalties changed .....	176x	4/25/73	7/16/73
2319	Criminally insane, care, treatment .....	117x	4/23/73	7/ 1/73
2326	State auditor, fiscal management recommendation ..			vetoed
2327	Workmen's compensation, benefits increased .....	147	3/20/73	3/20/73
Sub 2328	Highways budget .....	222x	4/26/73	4/26/73**
2331	Joint school districts, determination .....	47	3/ 7/73	6/ 7/73
Sub 2336	Mentally disordered persons, commitment procedures ..	142x	4/24/73	1/ 1/74

\*\*partial veto

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
2337	Nonstate highway appropriation .....	174x	4/25/73	4/25/73
2339	Fisheries department, advisory council .....			vetoed
2340	Department of fisheries, rules and regulations, administrative procedures act compliance .....	93	3/14/73	6/ 7/73
2341	State auditor, statutory duties, transfer .....	106	3/19/73	6/ 7/73
2342	School districts, elderly, nonprofit meal programs ....	107	3/19/73	6/ 7/73
2350	Court of appeals, pro tempore judges, appointment compensation .....	114	3/19/73	6/ 7/73
2352	Prosecuting attorneys, counties of fourth class and larger, private practice .....	86x	4/20/73	1/13/75
2353	Ballot titles, petitions, format change .....	118x	4/23/73	7/16/73
2358	School retirement system, 12 month computation basis .....	23	3/ 6/73	6/ 7/73
2360	State auditor, transfer of duties .....	95	3/14/73	6/ 7/73**
2361	Voters' pamphlets, rebuttal arguments .....	143x	4/24/73	7/16/73
Sub 2362	Sewer-water district employees, life insurance .....	24	3/ 6/73	6/ 7/73
Sub 2365	Emergency medical care and health services, equip- ment and personnel qualification .....	208x	4/25/73	* **
	*Sec. 1-8, 11, 12, 20, 21, 22, 23		7/ 1/73	
	Sec. 9, 10, 13-19		1/ 1/76	
2378	Department of highways, property sale procedure ....	177x	4/25/73	7/16/73
2382	Judicial retirement system, pro tempore service, limitations .....	119x	4/23/73	7/16/73
2386	Washington Industrial Safety and Health Act .....	80	3/ 9/73	6/ 7/73
2400	Foreign corporations process service fee, increase ....	108	3/19/73	6/ 7/73
Sub 2407	Washington higher education assistance authority ....	120x	4/23/73	4/23/73
2415	Ground waters, redefined .....	94	3/14/73	6/ 7/73
2425	Elections, write-in voting, exclusions .....	121x	4/23/73	7/16/73
2435	Alcoholism, advisory board, county program funding..	155x	4/24/73	7/16/73**
2440	Transportation, carriers, commission authority .....	115	3/19/73	6/ 7/73
2452	Dangerous building assessments, interest charge, lien priority .....	144x	4/24/73	7/16/73
2453	Third and fourth class cities, councilmen's compensa- tion, revision authority .....	87x	4/20/73	7/16/73
2459	Illegitimate children, parental rights .....	134	3/20/73	3/20/73**
	(veto overridden)			
2464	Highway construction, small business and minority contractors, bid assistance .....	116	3/19/73	6/ 7/73
2490	Crime victims, compensation .....	122x	4/23/73	4/23/73
2491	Adult probation services, special adult supervision programs .....	123x	4/23/73	1/ 1/74
2502	Equal rights, HJR 61, implemented .....	154x	4/24/73	7/16/73**
2504	State board on geographic names created .....	178x	4/25/73	7/16/73
2508	Public property, transfer, federal government .....	109	3/19/73	6/ 7/73
2513	County officials, salary increases .....	88x	4/20/73	1/ 1/74
2515	Trusts, life insurance investment authority .....	89x	4/20/73	7/16/73
2522	State highways—route designation .....	151x	4/24/73	7/16/73
2524	Insurance, commissioner, powers and duties .....	152x	4/24/73	7/16/73
2525	Charitable fund solicitation, regulation .....	13x	4/ 9/73	1/ 1/74
2527	Industrial insurance coverage, registered apprentices ..	110	3/19/73	6/ 7/73
Sub 2531	Environmental impact statements, requirements defined .....	179x	4/25/73	7/ 1/73
2544	Contractors, registration, regulation, department of labor and industries .....	153x	4/24/73	7/16/73
2552	Puget Sound reserve account, continued support .....	124x	4/23/73	7/16/73
Sub 2554	Animals, cruelty prevention, county authority .....	125x	4/23/73	7/16/73
2559	County agricultural fairs, leasehold tax exemptions ...	117	3/19/73	3/19/73

\*\*partial veto

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
2568	School districts, second and third class, warrants issuance, authorized .....	111	3/19/73	6/ 7/73
2570	State patrol retirement system, eligibility revisions ....	180x	4/25/73	7/16/73
2571	Industrial development corporations, loan limit increase, historic preservation authority .....	90x	4/20/73	7/16/73
	<b>**partial veto</b>			
Sub 2586	Policemen and firemen, retirement benefits increased..	181x	4/25/73	4/25/73
2588	Escheat records, public inspection .....	25	3/ 6/73	6/ 7/73
Sub 2589	Pawn brokers, fees, interest, maximum rates .....	91x	4/20/73	7/16/73
2590	Urban arterial trust account funds, preliminary proposals, payment authority .....	126x	4/23/73	7/16/73
2592	Optometrists, discrimination prohibited .....	48	3/ 7/73	6/ 7/73
Sub 2600	Liquor control, general revisions .....	209x	4/25/73	7/ 1/73**
2614	Inheritance tax, deferral reduction, trust corpus reduction .....	127x	4/23/73	7/16/73
2618	Unemployment compensation, administrative funding extension .....	6	2/20/73	2/20/73
2619	Employment security department, supplemental appropriation .....	7	2/20/73	2/20/73
2621	Snowmobiles, tax distribution, jurisdiction .....	128x	4/23/73	4/23/73
2643	Bank holding companies, ownership authority .....	92x	4/20/73	7/16/73
2656	Savings and loan associations, Keogh Act trusteeship authority .....	93x	4/20/73	7/16/73
2672	Federal revenue sharing trust fund .....	129x	4/23/73	4/23/73
Sub 2717	State patrol, organized crime intelligence unit .....	202x	4/26/73	4/26/73
Sub 2736	Cable television services, unlawful use .....	94x	4/20/73	7/16/73
Sub 2739	Colleges and universities, bond amortization, services, activities fees application .....	130x	4/23/73	4/23/73
Sub 2740	Higher education budget .....	131x	4/23/73	4/23/73
Sub 2741	Vehicle dealers, regulations .....	132x	4/23/73	7/16/73
Sub 2748	Transportation agencies, powers and duties, studies, appropriation .....	210x	4/26/73	4/26/73**
2762	State civil service, increased exemptions .....	133x	4/23/73	7/16/73
Sub 2784	Mason county, state land exchange .....	26	3/ 6/73	6/ 7/73
2790	Forest fire protection, assessments continued .....	182x	4/25/73	4/25/73
Sub 2800	Department of social and health services' budget ....	139x	4/23/73	4/23/73**
2803	Superintendent of public instruction budget .....	134x	4/23/73	4/23/73
2805	Colleges, universities, capital construction bonds ....	135x	4/23/73	4/23/73
Sub 2813	Public mass transit programs, state financial support, appropriation .....	136x	4/23/73	*
	*Sec. 7, 9, 10, 11                   4/23/73			
	Sec. 1, 2, 3, 4, 5, 6, 8       6/30/81			
2833	Shoreline management, substantial development exclusion, residential dock construction .....	203x	4/26/73	7/16/73
2835	Municipal utilities, surplus property disposal authority .....	95x	4/20/73	7/16/73
2840	Public works employment, border states, reciprocal residency exemption .....	29x	4/14/73	7/16/73
2841	Sales tax, non-profit hospital laundry associations, exemption .....	145x	4/24/73	7/ 1/73
2847	Alcoholic beverage control, licensed premises, 18-year-old professional musicians, employment permitted ..	96x	4/20/73	4/20/73
Sub 2854	Operating budget .....	137x	4/23/73	4/23/73**
2866	Wine, tax reduced .....	204x	4/26/73	7/ 1/73
2890	Southwest Washington Fair, control transfer .....	97x	4/20/73	7/16/73
Sub 2897	Small loan companies, loan limit increased .....			vetoed
2918	Herring fishing, commercial license validation .....	173x	4/25/73	4/25/73**

\*\*partial veto

**SENATE MEMORIALS AND RESOLUTIONS PASSED BY THE  
SENATE AND HOUSE  
1973**

**FORTY-THIRD LEGISLATIVE SESSION  
REGULAR AND FIRST EXTRAORDINARY**

**SENATE JOINT MEMORIALS**

<i>Number</i>	<i>Subject</i>
102	Public assistance mail, federal, rates
126	Silver salmon, California, take size reduced
127	President Nixon, legislative leader conference address

**SENATE CONCURRENT RESOLUTIONS**

108	Nonresident students, reciprocity, study
118	Legislative bills, retransmitted and retained
119	Adjournment SINE DIE
120	Bills reintroduced; rules adopted
125	Joint rules, general amendments, session duration
134	Special legislative interim committees
135	Interim committee operation funds
136	Adjournment, SINE DIE, April 15, 1973
137	Adjournment, SINE DIE, April 16, 1973

**HOUSE BILLS PASSED BY SENATE AND HOUSE SHOWING  
THE ACTION BY THE GOVERNOR THEREON**

**1973**

**FORTY-THIRD LEGISLATIVE SESSION  
REGULAR AND FIRST EXTRAORDINARY**

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
18	State treasurer's deputies, appointment .....	10	2/23/73	6/ 7/73
21	State treasurer's service fund .....	27	3/ 6/73	6/ 7/73
34	Voter registration acknowledgment.....	153	3/20/73	6/ 7/73**
36	County fund, salaries and wages, fund transfers authorized .....	38x	4/20/73	7/16/73
41	Missing shareholders, meeting notice requirements ....	28	3/ 6/73	6/ 7/73
47	Filial support, age limit extended .....	29	3/ 6/73	6/ 7/73
48	Probate, disclaimer of interest, wills, trusts, intestacy .....	148	3/20/73	6/ 7/73
51	Horse racing, additional races authorized .....	39x	4/20/73	7/16/73
Sub 52	Leaseholds, limited in lieu tax .....	187x	4/26/73	7/16/73
Sub 53	Open space, value for use .....	212x	4/26/73	7/16/73**
54	Property taxes, vehicle, aircraft parts, exemption ....	149	3/20/73	6/ 7/73
55	Property taxes, excess levies, majority vote re- quirement revision, special election approval .....	3	1/25/73	1/25/73
60	Irrigation districts, surplus real property, disposal authority .....	150	3/20/73	6/ 7/73
Sub 64	Special fuel tax, revisions .....	156x	4/25/73	7/16/73
Sub 65	Amateur boxing and wrestling, state control exemption .....	53	3/ 8/73	6/ 7/73
69	Land reclamation, tax levy authority, repealed .....	40x	4/20/73	7/16/73
71	Motor vehicle fuel tax, director, department duties transfer .....	96	3/14/73	6/ 7/73
75	Food and drugs, harmful alteration, penalty .....	119	3/19/73	6/ 7/73
76	Disability insurance, guaranteed renewability .....	188x	4/26/73	7/16/73
79	Savings and loan associations, supervision authority ..	130	3/19/73	3/19/73
84	State treasurer's trust fund .....	15x	4/10/73	4/10/73
86	Public records, emergency protection procedures ....	54	3/ 8/73	6/ 7/73
89	Asbestos safety regulation .....	30	3/ 6/73	6/ 7/73
98	Public works contracts, false statement, penalty, wage violation, lien .....	120	3/19/73	6/ 7/73
105	Public employees' retirement system, Washington State University classified employees transfer .....	168x	4/25/73	4/24/73
107	Television reception improvement district director bonding, repealed .....	55	3/ 8/73	6/ 7/73
109	Cattle breed name, use in trade, milk solids exemptions .....	31	3/ 6/73	6/ 7/73
112	Milk, assessment rate revisions .....	41x	4/20/73	7/16/73
117	School holidays .....	32	3/ 6/73	6/ 7/73
119	Property tax dispute, valuation information, public availability .....	30x	4/13/73	7/16/73
123	Police pension board, mayoral appointment power, mayor pro tempore .....	16x	4/10/73	7/16/73
124	Real estate brokers and salesmen, identification, fingerprints, required .....	42x	4/20/73	7/16/73
127	County treasurer, tax distribution, alternate formula ..	43x	4/20/73	7/16/73
128	Land title registration, fee increase .....	121	3/19/73	6/ 7/73
130	County budgets, supplemental appropriations, unanticipated receipts .....	97	3/14/73	6/ 7/73
134	Department of natural resources, navigable waters, wood debris, removal authorization .....	136	3/20/73	6/ 7/73
137	Safety glass, hazardous locations, mandatory use ....	2x	3/23/73	7/16/73

\*\*partial veto

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
149	Service voter, redefined .....	56	3/ 8/73	6/ 7/73
153	Session laws distribution, law schools .....	33	3/ 6/73	6/ 7/73
155	State school lands, cities and counties use, classification, valuation, repealed .....	57	3/ 8/73	6/ 7/73
160	Personal property, police possession, disposal period ..	44x	4/20/73	7/16/73
161	Real property tax exemption, civil service, railroad retirement benefits .....	98x	4/23/73	1/ 1/74
163	Initiatives, petition, code reviser review .....	122	3/19/73	3/19/73
164	County auditor, treasurer's records comparison, duty removed .....	45x	4/20/73	7/16/73
165	County treasurer's property tax revenue report, revealed .....	58	3/ 8/73	6/ 7/73
Sub 174	Legislative budget committee, performance audit authority, legislators per diem allowance increase ...	197x	4/26/73	7/16/73
175	Public employees' collective bargaining .....	59	3/ 8/73	6/ 7/73
2nd				
Sub 176	Public uniformed employees, labor negotiations, arbitration .....	131	3/19/73	6/ 7/73
185	State highway No. 115, established .....	60	3/ 8/73	6/ 7/73
186	Tax levy rates, dollars per \$1,000 valuation .....	195x	4/26/73	4/25/73
194	Interlocal cooperation, public agency definition, air pollution control authority inclusion .....	34	3/ 6/73	6/ 7/73
195	State building authority, abolished, indebtedness refunded .....	9	2/21/73	2/21/73
197	State highways, city arterials, state general obli- gation bonds .....	169x	4/25/73	4/24/73
198	Adoption fees, support account .....	61	3/ 8/73	6/ 7/73
204	Medical practitioners, financial interests, disclosure ..	26x	4/12/73	7/16/73
Sub 208	Counties, property management authority .....	196x	4/26/73	7/16/73
212	Eastern Washington historical society, art collecting authorized .....	35	3/ 6/73	6/ 7/73
217	State treasurer, fund investments, time deposits ....	123	3/19/73	3/19/73
224	Executive conflict of interest act, expansion, civil penalties .....	137	3/20/73	6/ 7/73
225	Motor vehicle licenses, spray, fertilizer applicators, deleted .....	17x	4/10/73	7/16/73
233	Higher education code powers and duties of board ....	62	3/ 8/73	3/ 8/73
234	Higher education, administrative powers .....	46x	4/20/73	*
	*Sec. 10, 6/30/74; Remainder, 7/16/73			
235	Children, prisoners of war or missing in action, educational benefits .....	63	3/ 8/73	3/ 8/73
238	Fruit commission district No. 2, boundary .....	11	2/23/73	6/ 7/73
240	Alcoholic beverage control, use, legal age lowered ....	100	3/20/73	6/ 7/73*
249	Weather modification board revolving account, abolished funds transferred .....	64	3/ 8/73	7/ 1/73
252	State employees, deferred compensation program ....	99x	4/23/73	4/23/73
257	County park and recreation service areas, city area inclusion, enlargement procedure .....	65	3/ 8/73	6/ 7/73
262	State school for the blind, board of trustees, created..	118	3/20/73	6/ 7/73**
263	Claims against counties, notice of disallowance, limitations of actions .....	36	3/ 6/73	6/ 7/73
Sub 264	Liens, mechanics' and materialmens', construction loan mortgages, draw regulations, priority .....	47x	4/20/73	7/16/73
268	Public open meetings act, exclusions .....	66	3/ 8/73	6/ 7/73
277	Code cities' budget, fixing day .....	67	3/ 8/73	6/ 7/73
279	Juvenile forest camp inmates, industrial insurance benefits .....	68	3/ 8/73	7/ 1/73

\*Referendum Measure 36

\*\*partial veto

**HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued**

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
281	School districts, adverse proceedings, hearing officer authorized	49	3/ 7/73	3/ 7/73
284	Land surveys, recording standards	50	3/ 7/73	6/ 7/73
287	Schools, certificated employees, substitutes, payment	3x	3/23/73	3/23/73
291	County assessors, assistants, deputies, private appraising, prohibited	11x	4/ 3/73	7/16/73
293	Assessor's records, public inspection	69	3/ 8/73	6/ 7/73
300	Mutual savings banks, lending authority	31x	4/13/73	7/16/73
304	School districts, employees insurance coverage, contribution limit removed	9x	3/28/73	7/16/73
305	Public assistance, support collection procedures, revisions	183x	4/25/73	4/25/73**
Sub 306	Environmental protection, coordinated permit issuance	185x	4/26/73	1/ 1/74
307	Judges' retirement, code correction	37	3/ 6/73	3/ 6/73
308	Fees of clerks of superior court, code correction	38	3/ 6/73	3/ 6/73
309	Association of counties, code correction	39	3/ 6/73	3/ 6/73
310	Industrial insurance, code correction	40	3/ 6/73	3/ 6/73
311	Veterans' bonus, code correction	41	3/ 6/73	3/ 6/73
312	Motor vehicle fuel taxes, code correction	42	3/ 6/73	3/ 6/73
320	Orting soldiers' home, membership eligibility	101	3/19/73	6/ 7/73
321	Attorney general, private practice prohibited	43	3/ 6/73	6/ 7/73
323	Controlled substance sales, penalties			vetoed
324	State budget, submission, accounting changes	100x	4/23/73	7/16/73
325	Actions against state, venue	44	3/ 6/73	6/ 7/73
330	Miscellaneous and mutual corporations, involuntary dissolution	70	3/ 8/73	6/ 7/73
331	Foreign corporations, report filing, penalty reduction	71	3/ 8/73	6/ 7/73
332	Industrial insurance, child farm labor, family employment, exempt	124	3/19/73	6/ 7/73
337	Public employment, felons restriction removed	135	3/20/73	7/ 1/73
Sub 340	Tuberculosis, hospitalization and control	213x	4/25/73	7/16/73**
342	Public employees, liability insurance coverage, employer purchaser	125	3/19/73	6/ 7/73
346	Juvenile detention, court responsibility	101x	4/23/73	7/16/73
349	Troll vessels, commercial			vetoed
Sub 351	Pharmacy board, composition, powers	18x	4/10/73	7/16/73
356	Memorial Day, Veteran's Day, dates			vetoed
359	School districts, community education programs	138	3/20/73	6/ 7/73
360	School buses, authorizing elderly transportation	45	3/ 6/73	6/ 7/73
361	Public assistance, medical care vendors, charge presentation period	48x	4/20/73	7/16/73
362	Public assistance, departmental subrogation rights	102x	4/23/73	7/16/73
363	Public assistance recipients, income report period	49x	4/20/73	7/16/73
364	Physicians and surgeons, Canadian licensees, state employees, conditional licensing	4x	3/23/73	7/16/73
367	Teachers, warrants	72	3/ 8/73	6/ 7/73
369	Volunteer firemen, pension benefit changes	170x	4/25/73	7/ 1/73
373	Education code, health measures, code correction	46	3/ 6/73	*
	*Sec. 2, 6/ 7/73; Remainder, 3/ 6/73			
376	Investment advisory committee, public fund investment	103x	4/23/73	4/23/73
381	Domestic waste treatment plants, operators, certification, regulation	139	3/20/73	7/ 1/73
388	Compulsory school attendance	51	3/ 7/73	6/ 7/73
389	Public lands, intergovernmental exchange authority, commercial recreational leasing potential	50x	4/20/73	7/16/73
Sub 391	State conservation commission, powers and duties	184x	4/26/73	7/16/73

\*\*partial veto

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
Sub 392	Marriage and divorce, procedures, revised .....	157x	4/25/73	7/16/73
396	Elections, counting boards, appointment .....	102	3/19/73	6/ 7/73
397	Public depositories, law revisions .....	126	3/19/73	3/19/73
402	Absentee ballots, counting procedures .....	140	3/20/73	6/ 7/73
404	Discrimination, sex basis, credit, insurance, prohibited .....	141	3/20/73	6/ 7/73
Sub 410	Homemaker, home health service authorized .....	51x	4/20/73	7/16/73
418	Banks and trust companies, investment regulations ..	104x	4/23/73	7/16/73
Sub 419	Teachers' retirement system, revisions .....	189x	4/26/73	4/25/73
420	Unemployment compensation, administrative changes..	158x	4/25/73	7/ 1/73
422	Department of Labor and Industries, division name change, duty transfer .....	52x	4/20/73	7/ 1/73
423	Alien banks, regulation .....	53x	4/20/73	7/16/73
428	Benton-Franklin mental health center, Whatcom family service center, appropriations .....	34x	4/14/73	4/14/73
Sub 429	State-wide base mapping, coordinated system .....	159x	4/25/73	7/16/73
Sub 435	Public employees' retirement system, general revisions .....	190x	4/26/73	4/25/73
436	Unemployment compensation, federal law con- formance .....	73	3/12/73	* **
	*Sec. 7, 8, 10, 11, 12—3/8/73; Sec. 1, 2, 3, 4, 6, 9—7/1/73			
438	Federal deposit insurance corporation, bank receivership authority .....	54x	4/20/73	7/16/73
442	Policemen and firemen, line of duty death, disability, children, free college tuition .....	191x	4/26/73	7/ 1/73
444	Motor vehicle fuel tax, city street use .....	160x	4/25/73	7/16/73
Sub 445	Anti-discrimination law, sex, physically handicapped .....	214x	4/26/73	7/16/73**
455	Irrigation districts, sewer services, revenue bond authority .....	74	3/ 8/73	3/ 8/73
460	Municipal firemen's pension boards, mayor's repre- sentative .....	19x	4/10/73	7/16/73
462	Uniform commercial code, clearing corporation, definition .....	98	3/14/73	6/ 7/73
463	Port districts, powers .....	55x	4/20/73	7/16/73
467	Fiduciaries, trust securities, clearing corporation deposit, authorized .....	99	3/14/73	3/14/73
476	Certificated school employees, definition .....	105x	4/23/73	7/16/73
477	Public schools, student body organization, regulation .	52	3/ 7/73	6/ 7/73
481	Water districts, property disposition authority, public utility districts .....	56x	4/20/73	7/16/73
482	Industrial insurance, reporting periods, payment, rule-making authority .....	32x	4/13/73	7/16/73
483	Contractors' registration, revisions .....	161x	4/25/73	7/16/73
485	Insurance, regulation revisions .....	162x	4/25/73	7/16/73
489	Public employment, mandatory union membership, employees' election .....	154	3/20/73	6/ 7/73**
492	Real estate commission, court certification authority ..	57x	4/20/73	7/16/73
Sub 497	Legislative budget committee, teachers', public employ- ees retirement systems merger study, appropriation.	127	3/19/73	3/19/73
Sub 498	Supplemental budget .....	215x	4/26/73	4/26/73**
502	Nuclear thermal power facilities, joint operating agencies, participation authority .....	7x	3/26/73	3/26/73
504	Department of agriculture, business fees, payment, security deposits in lieu of bond .....	142	3/20/73	6/ 7/73
531	Insurance, contract term revisions .....	163x	4/25/73	7/16/73
551	Department of Ecology, flood control program, authority delegation .....	75	3/ 8/73	6/ 7/73



## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
552	Health care services, insurance laws .....			vetoed
564	Cities and towns, annexation elections, alternative petition methods .....	164x	4/25/73	7/16/73
567	Mobile homes, double taxation prohibited, ID tags repealed .....	103	3/19/73	6/ 7/73
576	Free fishing licenses, blind persons .....	58x	4/20/73	7/16/73
580	Small claims court, jurisdiction, increased .....	128	3/19/73	6/ 7/73
585	City park boards, increased membership .....	76	3/ 8/73	6/ 7/73
Sub 589	Collection agencies, regulation .....	20x	4/10/73	7/16/73
590	Horse racing, commission, employees, powers, duties, limitations .....	216x	4/26/73	7/16/73**
594	Department of Ecology, water pollution control, waste discharge permit system .....	155	3/20/73	3/20/73**
595	General fund, certain funds abolished .....	59x	4/20/73	7/ 1/73
601	Voters' registration procedures, revision .....	21x	4/10/73	7/16/73
604	Real estate salesman, mobile home sales authority ....	60x	4/20/73	7/16/73
617	County auditor, absentee ballot applications, public list .....	61x	4/20/73	7/16/73
621	Public construction contracts, environmental pro- tection requirements .....	62x	4/20/73	7/16/73
628	Fish catch fees, fish farms exempt .....	63x	4/20/73	7/16/73
638	Securities regulations, debenture companies .....	171x	4/25/73	1/ 1/75
645	Community colleges, multiple registration .....	129	3/19/73	6/ 7/73
648	Industrial compensation, claim adjustment, time limitation extended .....	192x	4/26/73	7/16/73
652	Insurance companies, investment requirements .....	151	3/20/73	6/ 7/73
665	Podiatrists, title change, defined, qualifications .....	77	3/ 8/73	6/ 7/73
668	Factory built structures, state regulation .....	22x	4/10/73	7/16/73
Sub 674	Hearing aid dispensers, licensing, regulation .....	106x	4/23/73	7/16/73
685	Fire protection districts, public property, mandatory service contracts .....	64x	4/20/73	7/ 1/74
694	Elections, mandatory polling hours .....	78	3/ 8/73	3/ 8/73
698	Elections, fraud and error correction, affidavit filing date .....	165x	4/25/73	7/16/73
704	State buildings and facilities construction, general obligation bond issue .....	217x	4/25/73	4/25/73**
705	Health care service contracts, mandatory rejection period, minimum standards requirement .....	65x	4/20/73	7/16/73
Sub 711	Gambling, comprehensive provisions, state com- mission .....	218x	4/26/73	7/16/73**
720	State data processing authority .....	219x	4/25/73	4/25/73**
721	Insurance, hearings, appeals procedure .....	107x	4/23/73	7/16/73
Sub 722	Charitable fund solicitation, registration, radio, TV, newspapers exempt .....	66x	4/20/73	7/16/73
729	Pollution control, municipal facilities, revenue bonds authorized .....	132	3/19/73	3/19/73
731	Nursing homes, psychiatric care authorized .....	108x	4/23/73	7/16/73
736	Tax districts, excess levies, base year formula .....	67x	4/20/73	7/16/73 expires 12/31/78
741	Certified public accountants, mandatory continuing education .....	23x	4/10/73	7/16/73
746	Department of Natural Resources, forest fire preven- tion authority .....	24x	4/10/73	7/16/73
753	Public assistance grants, high school vocational institute students .....	35x	4/14/73	7/16/73
758	Fraternal benefit insurance certificates, valuation standard .....	79	3/ 8/73	6/ 7/73
766	Legend drugs, regulation .....	186x	4/26/73	7/16/73

\*\*partial veto

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
769	Department of Social and Health Services, Spokane property sale authority .....	109x	4/23/73	7/16/73
782	Chain distributor schemes, prohibited .....	33x	4/14/73	7/16/73
821	Cemeteries, prearrangement contracts .....	68x	4/20/73	7/16/73
827	County comprehensive plans, portions of counties ....	172x	4/25/73	4/24/73
847	Legal aid programs, all counties .....	69x	4/20/73	7/16/73
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SENATE AND HOUSE  
1973**

**FORTY-THIRD LEGISLATIVE SESSION  
REGULAR AND FIRST EXTRAORDINARY**

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16. Senator Metcalf: Memorializing Congress to amend the federal Constitution to prohibit forced bussing. ....	346		.....
17. Senators Durkan, Whetzel and Francis: Memorializing Congress to establish a wildlife refuge on the Nisqually Delta. ....	388		.....
18. Senators Ridder, Fleming, Connor and Dore: Memorializing Congress with respect to Seattle's public service hospital. ....	388	633	825 825
19. Senators Metcalf and Murray: Proposing amendments to federal Constitution. ....	388		.....
20. Senators Sellar and Murray: Requesting continued federal funding of the Seattle/King county alcohol safety action project. ....	388	833	1060 1060
21. Senators Talley, Peterson (Ted) and Peterson (Lowell): Requesting the President and Secretary of State to terminate the authority of the U.S. and Canada to fish in the zone of the other country. ....	803		.....
22. Senators Dore, Metcalf and Van Hollebeke: Memorializing Congress for constitutional convention relating to anti-bussing constitutional amendment. ....	831	980	.....
23. Senators Day and Keefe: Memorializing Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex. ....	869	980	1149 1149
24. Senators Peterson (Lowell) and Peterson (Ted) (by Interim Committee on Fisheries, Game and Game Fish request): Requesting Congress and administration to successfully conclude the law of the sea conference. ....	944	1109	.....

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*Signed by President of the Senate*

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125. Senators Washington, Whetzel, Peterson (Ted), Durkan and Mardesich: Memorializing the President and Congress in favor of legislation expressing the intent of Senate Bill No. 836, U.S. Congress. ....	1017	1017	1056	1094	1121
126. Senators Peterson (Lowell), Peterson (Ted), Sandison, Henry, Marsh, Metcalf, Mardesich and Talley: Urging the California legislature not to change the class of silver salmon which may be taken. ....	1055	1055	1056	1094	1121
127. Senator Woodall: Seeking President Nixon's presence at the national conference of state legislative leaders. ....	1069	1059	1059	1094	1121
128. Senators Stortini, Ridder, Day, Greive and Van Hollebeke: Memorializing the President and Congress to control food prices at January 10, 1973 levels. ....	1225				

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12. Senators Herr and Grant: Amending the state Constitution to limit the governor to two consecutive terms. ....	33								
13. Senators Lewis (Harry), Durkan, Metcalf, Rasmussen, Ridder, Bottiger, Odegaard, Twigg, Guess and Woodall: Providing that the governor shall veto no less than an entire section of a bill other than an appropriation bill.	34	153	219	220, 787		220, 787	SCR 118, 757		
14. Senator Rasmussen: Providing that the governor shall veto no less than an entire section of a bill except for appropriations. ....	34								
15. Senators Washington, Grant, Ridder, Metcalf and Whetzel: Amending the state Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days. ....	51	341			510, 536, 537				
15. (SUBSTITUTE) Committee on Constitution and Elections (originally sponsored by Senators Washington, Grant, Ridder, Metcalf and Whetzel): Amending the state Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days. ....			520, 537	541, 787	520, 1711, 1780	541, 787	SCR 118, 757, 1710, 1739		



114. Senator Ridder (by Secretary of State request): Reducing requirement for publication of amendments to state Constitution to two times during four weeks preceding election. ....	253
115. Senators Walgren and Bottiger: Enabling the legislature to establish justice courts as courts of record. ....	303
116. Senators Washington, Metcalf and Grant: Providing a new method for amending the state Constitution. ....	320
117. Senators Washington, Scott, Ridder, Connor, Greive, Durkan, Dore, Murray, Whetzel, Herr and Fleming: Amending the state Constitution to permit the use of motor vehicle funds for public transportation. ....	320
118. Senator Odegaard: Providing for a unicameral legislature. ....	328
119. Senators Murray, Gardner and Wanamaker (by Executive request): Authorizing the granting of property tax relief to homeowners and lessees of residential property. ....	346
120. Senators Donohue, Durkan, Odegaard and Atwood: Amending the state Constitution to provide for emergency appropriations. ....	388
121. Senators Atwood, Donohue, Canfield, Lewis (Harry), Durkan and Odegaard: Amending the state Constitution to create a legislative committee to disburse funds when the legislature is not in session. ....	388
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137. Senator Grant: Amending the state Constitution. . . . . 1018

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*Signed by President of the Senate*  
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101. Senators Greive, Ridder, Stortini, Connor, Knoblauch, Washington and Van Hollebeke: Providing for changes in joint rules of Senate and House of Representatives.	34					
102. Senators Greive and Ridder: Providing that with certain exceptions, legislative employees shall be hired pursuant to the civil service law.	34					
103. Senators Greive and Ridder: Amending joint rules to require a published agenda for rules committee and establishing procedures for a recorded vote in any committee.	34					
104. Senators Francis, Metcalf, Gardner and Murray (by Joint Committee on Education request): Providing for development of a comprehensive plan for revision of the state's current school financing and distribution system.	86	126	500	501, 788	501, 788	SCR 118, 757
105. Senators Gardner, Canfield, Fleming and Murray (by Joint Committee on Education request): Requesting superintendent of public instruction to submit to legislature new program for state financing of public school operations.	86					
106. Senators Sandison, Canfield and Marsh (by Joint Committee on Higher Education request): Mandating continuation of study on and recommendations respecting technological education by council on higher education.	87					



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17. Senators Canfield and Sandison (by Joint Committee on Higher Education request): Providing for continuation of study for alternatives relating to community college capital funding means. ....	87				
18. Senators Marsh, Canfield and Sandison (by Joint Committee on Higher Education request): Continuing study by joint committee on higher education respecting reciprocity as to non-resident student fees within institutions of higher education. ....	87	463	973	973	1760 1764 1778
19. Senators Whetzel, Sandison and Marsh (by Joint Committee on Higher Education request): Continuing recodification review of higher education code by joint committee on higher education. ....	119				
10. Senators Day and Matson (by Legislative Council request): Providing for a study on grass seed production. ....	167	296	367	387, 788	SCR 118, 757
11. Senators Odegaard and Gardner: Providing for review of institutional education programs and parental input into their contents. ....	253	406	445	445, 788	SCR 118, 757
12. Senators Bottiger and Ridder: Directing accreditation of Loughbon High School by state board of education. ....	329				
13. Senators Peterson (Lowell) and Peterson (Ted): Creating interim committee on natural resources. ....	347				
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15. Senators Grant, Mardesich and Washington: Creating a special advisory committee to study problems relating to use of voting devices and vote tallying machines. ....	417	333			
16. Senators Van Hollebeke and Woody: Providing for a study of a proposed state route along the Snohomish-King county line. ....	464				



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25. Senators Bailey and Mardesich: Providing for changes in the joint rules of the Senate and House of Representatives. ....	858, 871-883, 891, 911, 1107, 1146, 1106, 1167, 1158, 1198	858, 871	1158, 1160	858, 871	911, 1160, 1164, 911, 1164, 1158, 1198	1199	1222
26. Senators Peterson (Ted), Francis, Clarke and Washington: Directing the judicial council to study the present law relating to community property agreements. ....	949						
27. Senators Gardner, Walgren and Jones: Mandating study to develop procedure for screening certain children with learning disabilities. ....	999	1014	1127	1127	1127		
28. Senators Gardner and Sandison: Authorizing study on child care and its relationship to institutions of higher education. ....	1077						
29. Senators Metcalf, Grant and Bailey: Providing for a study of election procedures. ....	1112	1198	1268	1269	1269		
30. Senators Lewis (Harry) and Mardesich: Extending congratulations to Hyogo, Japan, with recognition of 10th year anniversary of sister state relationship with Washington state. ....	1172		1172	1172	1172		
31. Senators Grant, Bottiger and Woody: Providing for study of need to create regional councils to coordinate park development. ....	1199						
32. Senators Knoblauch and Woody: Recommending a study of boating access for Puget Sound and adjacent waters. ....	1345	1347					
33. Senators Gardner and Knoblauch: Providing community college curricula for Viet Nam veterans. ....	1345	1389					
34. Senators Mardesich and Bailey: Providing for interim operations of the legislature. ....	1700		1700, 1705, 1700, 1705	1705, 1705	1705, 1705, 1705	1762	1778
35. Senators Mardesich and Bailey: Authorizing transfer of interim committee funds. ....	1704		1704, 1720	1720	1705	1763	1778

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1. Senators Bailey, Mardesich, Atwood and Lewis (Harry): Notifying House that Senate is organized.	10	.....	.....	.....	10, 11	10 Adopted
2. Senators Bailey, Mardesich, Atwood and Lewis (Harry): Extending courtesies to former presidents, members and secretaries of the Senate.	10	.....	.....	.....	.....	10 Adopted
3. Senators Bailey, Mardesich, Atwood and Lewis (Harry): Providing for weekly payment of Senators and Senate employees. Providing each member the necessary supplies, equipment and materials required to operate the Senate.	10	.....	.....	.....	.....	10 Adopted
4. Senators Bailey and Mardesich: Adopting the standing committee structure of the Senate.	19	.....	.....	.....	.....	19 Adopted
5. All Senators: Extending appreciation for the many years of faithful service rendered by John Spiller and wishing him a speedy recovery.	35	.....	.....	.....	36	36 Adopted
6. Senators Bailey and Mardesich: Furnishing membership assignments for the Senate standing committees.	36	.....	.....	.....	.....	39 Adopted
7. Senators Bailey and Mardesich: Adopting the rules of the second extraordinary session of the forty-second legislature with certain amendments as the permanent rules of the forty-third legislature.	57	.....	.....	.....	57-62, 87-90, 91-98, 180-181	Adopted
8. Senators Fleming, Keefe, Peterson (Ted), Gardner, Francis, Grant, Murray, Washington, Dore, Ridder, Talley and Whetzel: Honoring memory of and recognizing the contributions of Dr. Martin Luther King, Jr.	110	.....	.....	.....	.....	111 Adopted
9. Senators Durkan, Knoblauch, Lewis (Harry), Herr, Fleming, Greive, Talley and Dore: Congratulating Arnie Weinmeister on his election to office of vice president of the International Brotherhood of Teamsters.	110	.....	.....	.....	.....	110 Adopted

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NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
10. Senators Metcalf, Woody and Van Hollebeke: Commending Warrior band of Woodway High School, Edmonds school district, Woodway, Washington, for musical achievement and for being selected as representative of Washington State at President Nixon's inauguration.	122					122 Adopted
11. Senator Mardesich: Changing the daily deadline for filing bills for introduction to 3:00 p.m.	150					151 Adopted
12. Senators Washington and Sellar: Requesting U.S. Bureau of Reclamation to use its funds for health purposes in the Grand Coulee Dam area for reopening of existing hospital.	156					156 Adopted
13. All Senators: Expressing deep sense of loss felt as the result of the death of President Lyndon Baines Johnson and conveying sympathy of the members of the legislature to Mrs. Johnson and her family.	171					172 Adopted
14. All Senators: Recommends wearing of white carnations as symbol of peace and tribute to our servicemen in Viet Nam.	178					179 Adopted
15. Senators Atwood, Lewis (Harry), Newschwander, Woodall and Stender: Congratulating President Nixon for his accomplishments as President.	235				235-236, 238, 415	
16. Reintroduced as Senate Floor Resolution 1973-43.						
17. Senators Bottiger, Gardner, Stortini, Knoblauch, Rasmussen and Newschwander: Commending Dr. and Mrs. David T. Hellyer for their donation of Northwest Trek to Washington State.	234					284 Adopted

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18. All Senators: Commending Honorable Horace W. Bozarth for his many years of public service and expressing legislature's appreciation for the many benefits which have resulted from his efforts for the citizens of Chelan and Douglas counties and of the state of Washington.	234	234	Adopted
19. Senators Metcalf and Talley: Commending Meadowdale Senior High School band and Kelso High School band for being invited to represent the state of Washington and nation at Second Annual Invitational Mexican Band Festival.	258	258	Adopted
20. All Senators: Conveying sympathy to United States Senator and Mrs. John C. Stennis with the hope for his speedy recovery.	290	291	Adopted
21. Senators Odegaard, Ridder, Donohue, Metcalf, Canfield and Bailey: Requesting joint committee on education to review function and value of state board of education and provide recommendations for eliminating statutory inconsistencies between state board of education and superintendent of public instruction.	361	362	Adopted
22. Senators Connor, Keefe, Murray, Peterson (Ted), Atwood, Bailey, Bottiger, Canfield, Clarke, Donohue, Dore, Durkan, Fleming, Francis, Gardner, Grant, Henry, Herr, Jolly, Knoblauch, Lewis (Harry), Lewis (Bob), Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Van Hellebeke, Walgren, Wanamaker, Washington, Whetzel, Woodall and Woody: Extending appreciation to Variety Club and KIRO-TV for presenting their telethon and encouraging the public to contribute to the telethon.	291	292	Adopted
23. Senators Woody and Mardesich: Commending the Gene Mason family for their accomplishment in climbing Mt. Kilimanjaro.	362	362	Adopted
24. All Senators: Declaring the rededication of the Senate to finish the work of Abraham Lincoln.	366	367	Adopted
25. Senator Grant: Requesting the legislative council to undertake a study of the feasibility of establishing statewide a uniform three digit telephone number for contacting emergency services.	558	559	Adopted
26. Senators Rasmussen, Peterson (Ted), Bailey, Mardesich, Stender, Knoblauch and Van Hellebeke: Urging Congress to immediately take necessary steps to provide for construction of pipeline from North Slope to tidewater in Alaska.	559	559	Adopted
27. All Senators: Expressing admiration and respect for gallant and dedicated services of the American prisoners of war in Viet Nam and welcoming their return back home.	559	560	Adopted
28. Reintroduced as Senate Joint Memorial No. 121			

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
29. <b>Senators Stortini, Bottiger, Rasmussen, Gardner, Knoblauch and Newschwander:</b> Commending Coach Richard Hannula for his dedicated efforts and outstanding success as a coach and educator in training youthful contenders for the swimming program of Woodrow Wilson High School in Tacoma. ....	709	.....	.....	.....	.....	709 Adopted
30. <b>All Senators:</b> Congratulating Mrs. Julia Herrmann on her birthday. ....	706	.....	.....	.....	.....	706 Adopted
31. <b>Senators Rasmussen, Knoblauch, Gardner, Stortini, Newschwander and Bottiger:</b> Expressing appreciation to Dr. R. Franklin Thompson, retiring president of University of Puget Sound for years of service and leadership in educational, social, and cultural lives of state and nation. ....	708	.....	.....	.....	.....	709 Adopted
32. <b>Senators Rasmussen, Walgren and Mardesich:</b> Requesting utilities and transportation commission in cooperation with joint committee on transportation or Senate standing committee on transportation and utilities to study need for employee walkways on railroad bridges and trestles and report results of study to next legislature. ....	752	.....	.....	.....	752	752 Adopted
33. <b>Senator Bailey:</b> Providing for necessary actions to complete work of Senate after its adjournment and during interim between forty-third and forty-fourth sessions. ....	753	.....	.....	.....	754	754 Adopted
34. <b>Senator Mardesich:</b> Providing appointment of committee to notify the House that the Senate is ready to adjourn the regular session of the forty-third legislature SINE DIE. ....	755	.....	.....	.....	755, 759	755 Adopted
35. <b>Senators Bailey and Atwood:</b> Reappointing officers and committees of the regular session to their respective positions for the extraordinary session. ....	765	.....	.....	.....	.....	765 Adopted
36. <b>Senators Mardesich and Lewis (Harry):</b> Providing for the appointment of a committee to notify the House that the Senate is ready to transact business for the extraordinary session. ....	765	.....	.....	.....	765-766, 789	765 Adopted



37. Senator Bottiger: Congratulating Coach Lloyd Blanus and the White River basketball team for winning the state Class A high school basketball tournament. . . . .	812	812	Adopted
38. All Senators with the exception of Senator Stender: Congratulating Senator John Stender on his being nominated by the President to be Assistant Secretary of Labor for Occupational Safety and Health, and urging the U.S. Senate to confirm nomination. . . . .	806	807	Adopted
39. Senator Rasmussen: Advising mayors of Washington cities who have gone to Washington, D.C. to reverse the revenue sharing program to stay home and run affairs of their cities. . . . .	813	813	Adopted
40. Senator Day: Congratulating Coach Roy Graffis and the Oakesdale basketball team for winning state Class B high school basketball tournament. . . . .	812	812	Adopted
41. Senator Talley: Congratulating the people of Longview on their city's golden anniversary. . . . .	827	828	Adopted
42. All Senators: Congratulating Ernest M. Brannon on the anniversary of his fiftieth year of service in the department of fisheries and to the state of Washington. . . . .	809	810	Adopted
43. Senators Marsh, Talley and Henry: Congratulating Larry Cassidy on his appointment to the state game commission. . . . .	839	840	Adopted
44. All Senators: Congratulating Chester Biesen, executive director of the association of Washington cities for his outstanding service to local government. . . . .	896	898	897-898 Adopted
45. Senators Durkan, Mardesich and Dore: Expressing love, affection, and respect for the late Alice O'Leary Ralls and conveying its deepest sympathy to her husband, the Honorable Charles C. Ralls, and his family. . . . .	965	965	Adopted
46. Senators Bailey, Durkan, Sandison, Fleming, Mardesich, Lewis (Harry), Atwood, Matsen, Rasmussen, Keefe and Whetzel: Paying tribute to the people of Greece and persons of Greek ancestry on the one hundred fifty-second anniversary of Greek independence. . . . .	969	970	970 Adopted
47. Senators Gardner, Bottiger, Matson, Murray, Washington, Mardesich, Durkan and Fleming: Commending Phillip Mahre for winning North American Junior Alpine ski championship at Crystal Mountain. . . . .	996	998	Adopted
48. Senators Stortini, Knoblauch and Gardner: Expressing gratitude to the Parker family of Tacoma for various personal articles and papers of Major Clarence M. Barton which the family has given the state. . . . .	1015	1016	Adopted

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
49. <b>Senators Walgren, Gardner and Stortini:</b> Congratulating the basketball team of East Bremerton High School and their coach Les Eathorne for winning the state Class AA basketball championship.	1019	.....	.....	.....	.....	1019 Adopted
50. <b>Senators Gardner, Atwood and Van Hollebeke:</b> Urging all citizens of Puget Sound region to watch and participate in public education television series on the criminal justice system, "The Second Mile".	1060	.....	.....	.....	.....	1060 Adopted
51. <b>Senator Durkan:</b> Requesting interim committee on fisheries, game and game fish or natural resources committee, whichever shall exist, to study methods of animal trapping to obtain more selective and humane methods of trapping and submit recommendations and drafts of legislation to the next regular session of the legislature.	1093	.....	.....	.....	.....	1094 Adopted
52. <b>Senators Whetzel, Fleming and Scott:</b> Congratulating Coach Ben Snowden and players of 1973 Roosevelt High School basketball team for winning state Class AAA championship.	1079	.....	.....	.....	.....	1080 Adopted
53. <b>Senators Bailey and Peterson (Lowell):</b> Directing committee on natural resources to conduct study to determine whether separate elk tags should be issued by subspecies and geographic area.	1113	.....	.....	.....	.....	1114 Adopted
54. <b>Senators Marsh and Henry:</b> Directing legislative council to study desirability of amending present law to allow local regulation of contractors.	1114	.....	.....	.....	.....	1114 Adopted
55. <b>Senators Walgren and Peterson (Lowell):</b> Requesting committee on natural resources to conduct study of fishing seasons and methods in the Hood Canal waters in order to determine effects of fishing on other sea life, the bottom areas, the fish resource, and the environmental character of the area.	1114	.....	.....	.....	.....	1115 Adopted
56. <b>Senators Jolly, Woody and Sandison:</b> Extending state's greeting to American Correctional Association at its meeting in Seattle, August 12 to 17, 1973.	1115	.....	.....	.....	.....	1115 Adopted

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57. Senator Odegaard: Extending appreciation and thanks to returned POW Captain Kenneth Wells for patriotic and unselfish service to the nation. . . . .	1112	1113	Adopted
58. Senator Odegaard: Extending heartfelt thanks to Samuel Mattix, a Christian missionary, released from captivity in Laos, for his unselfish and dedicated service in his chosen field. . . . .	1113	1113	Adopted
59. Senator Odegaard: Extending heartfelt thanks to returned POW Major Edward W. Leonard, Jr. for patriotic and unselfish service to the nation. . . . .	1113	1113	Adopted
60. Senators Talley, Odegaard and Bailey: Proposing there be transmitted to the U.S. commissioner of customs opposition by the Senate to the proposed elimination of Longview and Astoria as custom ports of entry. . . . .	1140	1140	Adopted
61. Senator Washington: Proposing legislative council conduct a full study of environmental policy act regarding preparation and enforcement of environmental policy statement and make appropriate recommendations to the next regular legislative session. . . . .	1669		Referred to Rules
62. Senator Washington: Directing legislative council to undertake a full study of the problem of stream channelization and make appropriate recommendations to the next regular session of the legislature. . . . .	1670		Referred to Rules
63. Senator Washington: Requesting legislative council to review state laws on management of state-owned aquatic lands, and propose revised legislation to eliminate contradictions and clarify legislative intent. . . . .	1670		Referred to Rules
64. Senators Lewis (Harry) and Day: Proposing the Senate empower a committee under the direction of the legislative council to study feasibility of establishing a commission for the blind and make a report to the Senate. . . . .	1671		Referred to Rules
65. Senator Murray: Requesting legislative council, if in existence, or committee on social and health services, to study death with dignity, the problem related to the theory, and report the results to the 1975 legislature. . . . .	1671		Referred to Rules
66. All Senators: Expressing the Senate's appreciation to Rod Chandler for competent and excellent manner in which he presented the news to the public. . . . .	1209	1209	Adopted
67. Senator Day: Requesting the Senate committee on social and health services to undertake comprehensive study to help develop a Washington formulary and report to the next regular session of the legislature. . . . .	1671		Referred to Rules

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
68. Senators Sandison and Knoblauch: Requesting Senate committee on parks and recreation or appropriate standing committee or council, to study proper use of Fort Worden by the public, recommend a program, and report to the next regular session of the legislature.	1672				Referred to Rules	
69. Senators Bottiger and Woody: Requesting the Senate agriculture committee to study methods of horse branding to help prevent the unlawful removal and slaughter of horses.	1672				Referred to Rules	
70. Senators Bottiger, Stortini and Gardner: Requesting the department of natural resources in cooperation with the parks and recreation commission to study the need for public funding of Northwest Trek and report to the legislature.	1673				Referred to Rules	
71. Senators Sandison, Canfield and Odegaard: Directing the committee on higher education and the committee on education to appoint a committee to study and recommend necessary modifications of the state's vocational education system.	1255				1256, 1373	1376 Adopted
72. Senators Rasmussen and Henry: Requesting totem pole on the capitol campus be painted and restored to its full beauty.	1673				Referred to Rules	
73. Senator Sellar: Commending Mission Ridge volunteer ski patrol for activities and duties during past skiing season.	1774					1774 Adopted
74. All Senators: Commending returned POW Captain Larry Writer for his service to his country and welcoming him back home.	1329					1330 Adopted
75. Senators Knoblauch and Wanamaker: Proposing interim committee on parks and recreation undertake study of boat registration, water safety programs and enforcement programs and reports its recommendations to the next session of the legislature.	1673				Referred to Rules	

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76. Senators Knoblauch and Wanamaker: Requesting parks and recreation committee or appropriate standing committee to study need for additional camping and recreational facilities along the north cross-state highway and report to the next regular session of the legislature. . . . .	1674	Referred to Rules	1774	Adopted
77. Senators Talley, Odegaard and Bailey: Congratulating citizens of the city of Longview on occasion of the fiftieth anniversary of the city's founding. . . . .	1774			
78. Senator Francis: Requesting Senate judiciary committee hold hearings to study narcotics, drug abuse, controlled substances, related crime and related social problems and make any necessary recommendations to the next regular session of the legislature. . . . .	1674	Referred to Rules		
79. Senators Metcalf, Rasmussen, Peterson (Ted), Mattingly, Wanamaker, Mardesich, Durkan, Peterson (Lowell), Lewis (Harry) and Sandison: Directing appropriate interim committee to prepare a program for doubling salmon production in Puget Sound in the next five years. . . . .	1674	Referred to Rules		
80. Senators Gardner, Murray and Odegaard: Requesting superintendent of public instruction to recommend legislation for funding of educational television stations. . . . .	1769	Referred to Rules		
81. Senators Gardner, Murray and Odegaard: Requesting superintendent of public instruction to undertake study of need for bilingual-bicultural education needs, services, and funding in this state and report to the legislature by November 1, 1973. . . . .	1675	Referred to Rules		
82. Senators Twigg, Francis and Durkan: Requesting Senate standing committee on judiciary to study wire and radio message interceptions as it relates to law enforcement and Senate Bill No. 2144 and report its recommendations to the next regular session of the legislature. . . . .	1676	Referred to Rules		
83. Senator Odegaard: Requesting the local government committee study the possibility of authorizing county commissioners to dissolve an intercounty rural library district and report to the legislature in January, 1974. . . . .	1676	Referred to Rules		
84. Senators Newschwander, Lewis (Harry) and Talley: Recommending the committee on ways and means study the impact and leasehold taxation on the competitive position of public ports and report the results to the next regular session of the legislature. . . . .	1677	Referred to Rules		
85. Senators Canfield, Jolly, Marsh and Washington: Proposing the House and Senate agriculture committee make study and recommendation concerning corporate conglomerate-type farming in this state and report to the forty-fourth regular session of the legislature. . . . .	1524	Referred to Rules	1524	Adopted

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
86. <b>Senators Washington, Donohue, Stortini, Murray, Guess and Whetzel:</b> Requesting Senate standing committee on ecology undertake studies of air pollution, oil spill prevention, the environmental policy act, state-owned aquatic land sales and leasing policies, stream channelization, wetlands preservations, implementation of environmental coordination act, Senate Bill No. 2749, dam safety inspection, weather modification laws, the shorelands act, the preservation of Loon Lake, Stevens county, the effect of geologic considerations on building codes, and report the results and recommendations to the legislature the next time it convenes. . . . .	1677				Referred to Rules	
87. <b>Senator Rasmussen:</b> Requesting an immediate study of oil, fuel, and natural gas pipelines by utilities and transportation commission, with assistance of Senate committees on transportation and utilities and ecology and report to the forty-fourth session of the legislature. . . . .	1677				Referred to Rules	
88. <b>Senator Rasmussen:</b> Urging federal housing administration to expedite sales of repossessed homes in King and Pierce counties and other areas of the state and sell the houses at reasonable and fair prices so that low and moderate income families may obtain adequate housing. . . . .	1769				Referred to Rules	
89. <b>Senators Rasmussen and Peterson (Lowell):</b> Requesting study of baitfish supply of Puget Sound and offshore waters be made by the department of fisheries, in cooperation with the department of game and the Senate committee on natural resources and report the results to the forty-fourth legislature. . . . .	1678				Referred to Rules	
90. <b>Senators Walgren and Bottiger:</b> Requesting that the Senate transportation and utilities committee with the matching House committee be authorized to study utility and telephone rate and service requirements and report their findings to the legislature prior to the 1974 session of the legislature. . . . .	1678				Referred to Rules	

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91. <b>Senators Gardner and Durkan:</b> Directing the standing committee on ways and means to study alternative funding for a state-wide system of libraries that will provide for continued assured support. ....	1679	Referred to Rules
92. <b>Senator Talley:</b> Directing the standing committee on natural resources to conduct a study of the catching and marketing of smelt on the Columbia River and its tributaries. ....	1679	Referred to Rules
93. <b>Senators Talley, Peterson (Lowell) and Odegaard:</b> Directing the standing committee on natural resources to study the causes and means of control of excessive weed growth in the lakes of the state. ....	1679	Referred to Rules
94. <b>Senator Lewis (Harry):</b> Requesting the Senate committee on Ways and Means undertake immediate study of Engrossed Substitute House Bill No. 593, other tax exemption laws, their overall effect on the state's tax structure, the taxable status of nonprofit social service agencies, and report its findings and recommendation to the September, 1973 session of the legislature. ....	1680	Referred to Rules
95. <b>Senators Ridder, Fleming, Scott, Newschwander and Jones:</b> Directing the public pension commission to utilize the four thousand dollars appropriated to the board for an actuarial study on a pension system for volunteer firemen. ....	1680	Referred to Rules
96. <b>Senator Gardner:</b> Requesting that the superintendent of public instruction prepare an inventory of current citizen involvement programs in common schools. ....	1681	Referred to Rules
97. <b>Senators Talley, Mardesich and Ridder:</b> Directing the committee on labor to study the feasibility of some form of regulation over private pension plans in this state. ....	1681	Referred to Rules
98. <b>Senators Gardner, Francis and Rasmussen:</b> Requesting Senate committee on social and health services be requested to study and determine the needs and priorities of handicapped people in the state which might be helped by legislative action. ....	1681	Referred to Rules
99. <b>Senators Francis and Durkan:</b> Requesting Senate judiciary committee study the impact of the establishment of organized crime intelligence unit and report to the legislature when it next convenes. ....	1682	Referred to Rules
100. <b>Senators Gardner and Francis:</b> Urging state to adopt symbol for physically handicapped adopted by the rehabilitation international's eleventh world congress and this symbol be displayed and its use encouraged. ....	1769	Referred to Rules
101. <b>Senators Peterson (Lowell) and Metcalf:</b> Requesting Senate standing committee on natural resources conduct a study of private aquaculture industry and report to the extraordinary session of the legislature in January, 1974 or the next regular session of the legislature. ....	1682	Referred to Rules

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

Vote on  
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Referral

NUMBER, AUTHOR AND SUBJECT

102. Senators Peterson (Ted) and Metcalf: Proposing the Senate standing committee on natural resources undertake a study of the licensing policies and procedures of the department of fisheries and report to the legislature at its next session. ....	1682	Referred to Rules			
103. Senators Donohue and Jolly: Proposing the committee on natural resources study the system of hydraulic project permits for allocating our water resources and report to the 1974 extraordinary session of the legislature. ....	1683	Referred to Rules			
104. Senators Sandison and Marsh: Proposing study be made by standing committee on natural resources to determine need of establishing preserves for personal-use fishing for food fish and shellfish and determine need to change director's authority to regulate for purpose other than conservation. ....	1683	Referred to Rules			
105. Senator Peterson (Ted) and Metcalf: Requesting standing committee on natural resources conduct study of commercial salmon fishing license limitation for Washington waters and report to the legislature by January 1, 1974. ....	1683	Referred to Rules			
106. Senators Herr and Knoblauch: Requesting standing committee on natural resources conduct study to determine authority of department of fisheries over Washington residents fishing for "Washington" food fish and shellfish in waters outside Washington waters and report to the legislature by January 1, 1974. ....	1684	Referred to Rules			
107. Senators Rasmussen and Peterson (Lowell): Requesting the Senate direct committee on natural resources undertake study of access management of wildlife resources and report to 1974 extraordinary session of the legislature. ....	1684	Referred to Rules			
108. Senators Matson and Peterson (Lowell): Proposing committee on natural resources study federal preemption of state wildlife responsibilities with particular reference to mammals, predators, and endangered species and report to the 1974 extraordinary session of the legislature. ....	1684	Referred to Rules			



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109. Senators Marsh, Talley, Henry, Peterson (Lowell) and Metcalf: Requesting House and Senate standing committees on natural resources study social and economic impact of eliminating or restricting commercial fishing for spring Chinook salmon on the Columbia River and reporting to the legislature when it next convenes. . . . .	1685	Referred to Rules	
110. Senator Washington: Proposing public pension commission study use of overtime pay and accrued annual leave and sick leave in computing average final compensation for retirement purposes and report to the legislature in September, 1973. . . . .	1685	Referred to Rules	
111. Senators Bailey and Ridder: Requesting superintendent of public instruction to conduct study to resolve conflicts in the factors involved in the preparation of school districts' budgets. . . . .	1685	Referred to Rules	
112. Senator Lewis (Harry): Requesting Senate committee on natural resources be authorized to study desirability and feasibility of adopting legislation to control trespassing on private and public forest lands. . . . .	1686	Referred to Rules	
113. Senators Day and Murray: Proposing Senate standing committee on social and health services investigate feasibility of combining all state day care programs into one comprehensive program and report to the January, 1974 extraordinary session of the legislature. . . . .	1770	Referred to Rules	
114. Senators Fleming, Murray, Ridder, Mardesich and Whetzel: Proposing standing committee on local government study what units of local governments may be consolidated and what format should be taken in their consolidation and report on a continuing basis to the legislature in September, 1973, January, 1974, and January, 1975. . . . .	1686	Referred to Rules	
115. Senators Donohue, Lewis (Harry) and Keefe: Proposing that the committee on ways and means undertake study of horse racing activities to recommend solutions to problems of vendors' contracts at the tracks, hiring practices, and establishment of racing dates and report to the legislature prior to January 1, 1974. . . . .	1687	Referred to Rules	
116. Senators Durkan, Peterson (Ted) and Day: Proposing Senate standing committee on natural resources undertake study of leasing of public lands utilized for limited access hunting and fishing and report the results and recommendations to the legislature in January, 1974. . . . .	1687	Referred to Rules	
117. Senators Woody, Murray, Peterson (Lowell) and Peterson (Ted): Proposing Senate standing committee on natural resources undertake study of distribution of gas tax moneys from all-terrain vehicles for purpose of preparing legislation to clarify formula. . . . .	1687	Referred to Rules	

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
118. Senators Gardner, Peterson (Ted) and Murray: Proposing standing committee on natural resources in cooperation with department of natural resources, conduct study of Washington marine land laws and propose a new draft of laws to more clearly convey intent of legislature in administering these lands and report to the legislature by January 1, 1974.	1688	.....	.....	.....	Referred to Rules	.....
119. Senators Bailey and Odegaard: Proposing standing committee on natural resources conduct study of problem of removal of deadheads and partially submerged logs from state's waterways and report to the legislature by January 1, 1974.	1688	.....	.....	.....	Referred to Rules	.....
120. Senators Henry, Canfield, Peterson (Lowell) and Peterson (Ted): Proposing standing committee on natural resources conduct comprehensive study of future geothermal exploration and development of geothermal energy and determine state agency best suited to regulate such development and report to the legislature by January 1, 1974.	1688	.....	.....	.....	Referred to Rules	.....
121. Senators Francis and Fleming: Proposing the House and Senate standing committees on natural resources study off-reservation hunting and fishing rights and Indian treaty rights in cooperation with a seven-man citizen advisory committee and report to the 1974 session of the legislature.	1689	.....	.....	.....	Referred to Rules	.....
122. Senators Whetzel, Murray and Fleming: Proposing local government committee study advantages or disadvantages of municipalities contracting out the undergrounding of electric utilities to private contractors and report to the legislature prior to January 1, 1974.	1689	.....	.....	.....	Referred to Rules	.....
123. Senators Whetzel, Murray and Fleming: Proposing the local government committee undertake study of whether the state can waive its tax exempt status and the impact such waiver would have on state and local finances and report to the legislature prior to January 1, 1974.	1689	.....	.....	.....	Referred to Rules	.....

124. **Senators Whetzel and Dore:** Proposing committee on financial institutions study banking laws to obtain equal reciprocal rights for Washington banks in foreign countries and report to the legislature prior to January 1, 1974. . . . .
125. **Senators Whetzel and Fleming:** Proposing local government committee study authorization of housing authorities to establish group halfway houses for juvenile offenders and developmentally disabled in compliance with zoning laws applicable to other persons and report to the legislature prior to January 1, 1974. . . . .
126. **Senator Walgren:** Proposing standing committees on transportation and utilities study cost and wage structure of toll facilities and report to the September, 1973 session of the legislature. . . . .
127. **Senator Dore:** Proposing Senate committee on financial institutions study all facets of banking, insurance, and financial institutions. . . . .
128. **Senators Murray and Durkan:** Proposing the Senate local government committee and the Senate ways and means committee undertake a study of the feasibility of the state acquiring the Providence Heights facility and a study of the available funding sources for such an acquisition and report to the legislature when it next convenes. . . . .
129. **Senators Whetzel and Murray:** Proposing the Senate standing committee on natural resources and the standing committee on local government study the impact of House Bill No. 791, the state-wide land use plan, and report to the January, 1974 session of the legislature. . . . .
130. **Senators Durkan, Fleming and Odegaard:** Authorizing the Senate committee on social and health services to study means of increasing the number of doctors graduated in this state, procedures for selecting medical school students, and means of implementing these suggestions and report to the September, 1973 legislature. . . . .
131. **Senators Durkan and Fleming:** Requesting appropriate Senate standing committee undertake study of Substitute Senate Bill No. 2266 and recommend to legislature action to insure LEFF system continue to meet needs of its members. . . . .
132. **Senator Durkan:** Requesting Senate committee on social and health services study potential benefits that might be obtained from use of the practice of acupuncture and report to the next regular session of the legislature. . . . .

1690 . . . . . Referred to Rules

1690 . . . . . Referred to Rules

1691 . . . . . Referred to Rules

1691 . . . . . Referred to Rules

1691 . . . . . Referred to Rules

1692 . . . . . Referred to Rules

1692 . . . . . Referred to Rules

1693 . . . . . Referred to Rules

1693 . . . . . Referred to Rules

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TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
133. Senators Gardner, Francis and Murray: Requesting Senate committee on social and health services to conduct state-wide study and evaluation of population growth and distribution in respect to environmental and social problems; individual, local, and state goals in standard of living; family planning; and other relative determinants and report to the next regular session of the legislature. ....	1694				Referred to Rules	
134. Senators Ridder and Fleming: Authorizing the standing committee on local government to study investment practices of governmental units to determine if legislation may be desirable to improve such practices and report to the legislature when it next convenes. ....	1694				Referred to Rules	
135. All Senators: Extending appreciation for effective work of Floyd Jennings as lobbyist for association of Washington cities and wishing him enjoyable retirement. ....	1696				1695 Adopted	
136. Senators Ridder and Gardner: Directing Senate committee on education to study problem of teacher employment in Washington in light of Senate Bill No. 2076 and draft legislation to restore interdistrict mobility and hiring of experienced staff. ....	1695				Referred to Rules	
137. Senators Lewis (Harry) and Durkan: Directing forest tax committee to review log export issue, including consideration of all economic, revenue, employment, fiscal and other relevant matters and report to the forty-fourth regular session of the legislature. ....	1695				Referred to Rules	
138. Senators Durkan and Gardner: Requesting Senate consider successful rehabilitation program of Vista Cottage at its present location of paramount importance and requests department of social and health services continue the present Vista Cottage program at Cascadia Juvenile Reception-Diagnostic Center in Tacoma. ....	1770				Referred to Rules	

139. <b>Senators Durkan, Donohue and Odegaard:</b> Directing Senate ways and means committee undertake study of fiscal impact of enacted legislation, governor's vetoes, Substitute House Bill No. 593, budget allotments, budget information for committees, race track operators and commissioners, tax revision, tax revision legislation, senior citizen tax relief legislation, House Bill No. 166 and other specified matters. ....	1771	Referred to Rules	
140. <b>Senators Stortini and Durkan:</b> Requesting standing committee on Senate ways and means study operation and management of state liquor control board to examine effectiveness of board's policies relating to warehouse procedures, personnel, and retail store operation and administration and report to September, 1973 session of the legislature. ....	1772	Referred to Rules	
141. <b>Senator Rasmussen:</b> Directing Senate committee on state government to study specified goals during interim period. ....	1772	Referred to Rules	
142. <b>Senators Fleming and Gardner:</b> Directing committee on local government to propose statute and conduct necessary studies for such statute to implement House Joint Resolution No. 22 allowing for incremental taxation in areas where capitol projects are constructed and surrounding properties are improved as a result of such capitol projects. ....	1773	Referred to Rules	
143. <b>Senators Bailey, Mardesich, Atwood and Lewis (Harry):</b> Providing for completion of work of the Senate after adjournment and during interim period between the close of the first extraordinary session of the forty-third legislature and the convening of the next session. ....	1701		1703 Adopted
144. <b>Senators Bailey and Atwood:</b> Appointing committee to notify House that the Senate is ready to adjourn the first extraordinary session of the forty-third legislature SINE DIE. ....	1780		1780 Adopted



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34. Representatives Parker, Fortson, Erickson and Sommers: Authorizing precinct committeemen to register voters. ....	464	594	620	621	621, 741	732-733, 740-741	750	751 P. V.
36. Representative Smythe: Permitting disbursement of county funds under the control of the county auditor and treasurer. ....	183, 791	187, 793	633	1289	1270	1270	655	1309 CH. 38 Ex.
41. Representative Hayner: Providing notice requirements for voting shares of missing shareholders. ....	213	219	554	578	578	578	671	672 CH. 28
47. Representatives Eikenberry and Knowles: Extending age limit for filial support payments. ....	213	219	554	600	600	600	671	672 CH. 29
48. Representatives Eikenberry and Knowles: Providing for disclaimer of interest under will, trust or intestacy. ....	342, 734	347	554	614	615	615	750	751 CH. 148
49. Representatives Berentson, Charette, Pardini and Hoggins: Providing for payment of employee and employer contributions to the retirement system. ....	543, 791	544, 793	831	1198	1287	1287	1349	1350 CH. 39 Ex.
51. Representatives Newhouse, Moon and North (Lois) (by Legislative Council request): Allowing two additional races at horse racing meets. ....	829	831	1198	1287	1287	1287	1349	1350 CH. 39 Ex.
52. (SUBSTITUTE) Committee on Ways and Means—Revenue (originally sponsored by Representatives Newhouse, Randall, North (Lois) and Zimmerman by Legislative Council request): Providing for a limited leasehold in lieu tax. ....	854, 1592	858	1162	1342	1343	1343	1760	1766 CH. 187 Ex.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
53. (SUBSTITUTE) Committee on Ways and Means—Revenue (originally sponsored by Representatives Flanagan, Haussler, Newhouse, Van Dyk, Benitz, North (Lois), Amen, Curtis, Garrett, Hayner, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman by Permanent Property Tax Committee request): Making certain amendments to the open space lands taxation laws. . . . .	1035, 1623, 1645, 1737, 1775	1036 1737, 1738	1112, 1646, 1738	1352	1361 1361, 1738	1623, 1646, 1737, 1738	1776	1776	1776 P. V.	CH. 212 Ex.
54. Representatives Newhouse, Randall and North (Lois) (by Legislative Council request): Exempting from taxation certain vehicle parts, equipment, furnishings and accessories during construction process. . . . .	464	465	707	752	753	753	754	754	755	CH. 149
55. Representatives Bauer, Luders, Julin, Erickson, King, Hoggins, Brown, Bluechel, Johnson, North (Lois), Kraabel, Ceccarelli, Charney, Cunningham, Curtis, Eng, Freeman, Gilleland, Goltz, Hansey, Hayner, Hendricks, Knowles, Lysen, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Smythe, Tilly, Van Dyk and Wilson (by Superintendent of Public Instruction and Joint Committee on Education request): Conforming statutory excess levy election provisions with constitutional changes made by HJR 47. . . . .	53, 137	56	56	124	125	125	145	145	145	CH. 3



60. Representatives Johnson, Kuehnle and Hausler (by Legislative Council request): Authorizing disposal of surplus real property by irrigation districts. ....	183, 783	187	609	655, 680	680	656	750	751 CH. 150
63. Representatives Adams, Kelley and Zimmerman: Amending award in lieu of homestead provisions. ....	543, 791	544, 793						
64. (SUBSTITUTE) Committee on Transportation and Utilities (originally sponsored by Representatives Conner and Gilleland): Implementing the laws relating to the special fuel tax. ....	1036	1036	1310	1528	1528	1528	1760	1766 CH. 166 Ex.
65. (SUBSTITUTE) Committee on Commerce (originally sponsored by Representatives Conner and Martinis): Exempting nonprofit, amateur boxing and wrestling matches from state control. ....	342	347	610	656	656	656	681	688 CH. 53
69. Representatives Kopet, Curtis, Barden and Polk (by Legislative Budget Committee request): Repealing authorization for land reclamation tax levy. ....	479, 791	480, 793	1210	1269	1269	1269	1300	1309 CH. 40 Ex.
71. Representatives Conner and Gilleland: Changing powers and responsibilities of the director of motor vehicles. ....	314	320	610	692	692	692	726	727 CH. 96
75. Representatives Conner, Adams, Ceccarelli and Nelson: Making it a crime to place harmful objects and substances in food. ....	314, 734	320	554	601	601	601	750	751 CH. 119
76. Representatives Bagnariol, Ceccarelli, Gaspar and Pardini: Providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium. ...	830, 1629	831	1389	1532	1533	1533	1762	1766 CH. 188 Ex.
79. Representatives Bagnariol, Chatalas and Pardini: Implementing the law of savings and loan associations. ....	449, 734	449	556	622	622	622	750	751 CH. 130



91. Representatives Kopet, Shinpoch and Polk (by Legislative Budget Committee request): Providing procedures for advance payment of services rendered to the state. ....	543	544	.....	.....	.....	.....	.....	.....	.....
97. Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council request): Providing compensation in inverse condemnation cases for loss of value where there is no trespass to the property. ....	1055	1056	1525	.....	.....	.....	.....	.....	.....
98. Representative Savage: Requiring the director of the department of labor and industries to notify the county prosecutor of suspected violations. ....	213, 734	219	569	654	654	655	750	751	CH. 120
102. Representatives Bauer, Berentson, Laughlin, Hansey and Erickson: Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff. ....	342, 791	347, 794	610	682	.....	.....	680, 685	.....	.....
105. Representatives Kopet, Moon, Patterson, King, Maxie and Barden (by Legislative Budget Committee and Joint Committee on Higher Education request): Authorizing certain classified employees at Washington State University to transfer to the public employee's retirement system. ....	830, 1444	831	1221	1270	1271	1271	1271	1591	1592 CH. 168 Ex.
107. Representatives Haussler and Curtis: Repealing the requirement that directors of television reception improvement districts be bonded. ...	183	187	610	651	651	652	681	688	CH. 65
109. Representatives Van Dyk, Berentson and Goltz: Removing milk solids from the limitation placed upon advertising milk products by naming the breed of cow which produced it.	249	253	313	608	608	608	671	672	CH. 31
112. Representatives Van Dyk, Berentson and Goltz: Providing for certain changes in the assessment levied upon milk. ....	915	917	1034	1271	1271	1271	1300	1309	CH. 41 Ex.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
114. Representatives Flanagan, Moon, Bagnariol, Williams, Randall and Erickson (by Permanent Property Tax Committee request): Amending the law regarding formal and informal hearings before the state board of tax appeals. ....	479, 791	480, 794								
117. Representatives Bauer and Hoggins (by Joint Committee on Education request): Implementing law relating to school holidays and programs suitable thereto. ....	213	219	313	591	592	592		671	672	CH. 32
119. Representatives Flanagan, Moon, Bagnariol, Williams, Randall, Erickson, Hoggins and Van Dyk (by Permanent Property Tax Committee request): Making the assessor's comparable sales data available to individuals protesting their property valuation. ....	791, 1223	219, 794	969	1147	1149	1149		1259	1259	CH. 30 Ex.
123. Representatives North (Lois) and Haussler: Empowering mayor of first class city to appoint a designee to his seat on the police pension board. ....	249,	791, 1198	683	1136	1137	1137		1199	1199	CH. 16 Ex.
124. Representatives Adams, Ceccarelli, Swayze and Garrett (by Department of Motor Vehicles request): Requiring applicant for real estate license to give certain information. ....	880	881	1054	1271	1271	1271		1300	1309	CH. 42 Ex.

127. Representatives Kilbury, Amen and Van Dyk: Implementing law relating to distribution of taxes collected for taxing district purposes. . .	202, 791	206, 794	634	1304	1304	1441	1608 CH. 43 Ex.
128. Representatives Sommers and Kraabel: Rais- ing filing fees for registration of land titles. . .	415, 734	417	594	657	658	750	751 CH. 121
129. Representatives Kilbury, Sommers, Knowles and Kopet: Increasing sheriff's civil fees. . . . .	249, 791	253, 794					
130. Representatives Kalich and Smythe: Allowing revision of county budgets upon receipt of un- anticipated funds. . . . .	213, 734	219	634	703	703	750	751 CH. 97
134. Representatives Moon, Zimmerman, Smith and Gaines (by Legislative Council request): Au- thorizing department of natural resources to remove wood debris from navigable waters. . .	464, 734	465	586	700	700	750	751 CH. 136
137. Representatives O'Brien, Moon, Wojahn and Van Dyk (by Legislative Council request): Requiring and regulating the use of safety glass and similar materials. . . . .	507, 735, 740, 792, 844	507, 794	610	698	699, 803	855	855 CH. 2 Ex.
138. Representatives Kilbury and Kopet: Changing the rate of interest on delinquent property taxes from a variable rate to a uniform rate.	479, 792	480, 794					
139. Representatives Newhouse, Moon and Williams (by Legislative Council request): Taxing tele- graph company property as real property and apportioning the revenues amongst the taxing districts on the basis of the situs of equipment.	249, 792	253, 794					
142. Representatives Sommers, Knowles, Kopet and Julin: Raising the corporation annual report filing fees from one to two dollars. . . . .	868	869				869	
149. Representatives Bender, Clemente, Parker, Fortson, Eng, Charnley, Erickson and Maxie: Providing a voter's pamphlet to each person requesting an absentee ballot. . . . .	479	480	610	653	653	681	688 CH. 56

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
150. Representatives Haussler, Smythe, Kalich and May: Raising mileage allowance for county officers. ....	415, 792	417, 794	634							
152. Representatives Conner and Savage: Establishing new State Route 111. ....	314, 792	320, 795								
153. Representatives Gaspard, Kelley, Knowles and Parker: Providing for distribution of session laws, house journals, and court reports to the University of Puget Sound law school. ....	153	277	313	571	571	571	572, 608	671	672 CH. 33	
155. Representatives Newhouse and Haussler (by Legislative Council request): Repealing certain statutes relating to the valuation of trust lands sold for park purposes. ....	342	347	438	658	658	658		681	688 CH. 57	
160. Representatives Blair and Martinis (by Municipal Committee request): Changing the time periods for permitting the disposal of personal property in the possession of certain authorities. ....	314, 792, 1628	320, 795	722	1529	1529	1529		1760	1766 CH. 44 Ex.	

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161. Representatives Williams, Lysen, Randall, Parker, Flanagan, Beck, Eng, Erickson, Kilbury, Smith, Smythe and Valle (by Permanent Property Tax Committee request): Providing that only two-thirds of federal civil service retirement or railroad retirement pension benefits be counted as income for certain tax exemption purposes. ....	792, 1642	508, 795	1221	1622	1622	1622	1622	1762	1766 CH. 98 Ex.
163. Representatives Haussler, Curtis, Charette and Schumaker: Authorizing a review of initiative measures prior to the filing thereof. ....	507, 734	508	594	629	629	629	629	750	751 CH. 122
164. Representatives Conner and Kuehnle: Deleting county auditors' duty to compare tax records with county treasurers. ....	415, 792	417, 795	634	1529	1529	1529	1529	1760	1766 CH. 45 Ex.
165. Representatives Kopet and Randall: Repealing county treasurers' reports. ....	415	417	610	660	660	660	660	681	688 CH. 58
171. Representatives Martinis, Zimmerman, Jastad, Schumaker, Luders, Adams, Charette, Hansey, Thompson and Ceccarelli (by Interim Committee on Fisheries, Game and Game Fish request): Enhancing the propagation of wildlife. ....	273	277	634	695	696	696	696	726	727 VETOED
174. (SUBSTITUTE) Committee on State Government (originally sponsored by Representatives Luders, Knowles, Conner, Bagnariol, Bauer, Kilbury, Haussler and Shinpoch): Providing for the transfer of certain functions from the DSHS to the legislative budget committee. ....	868, 1762	869	1440	1644	1645	1645	1645	1776	1776 CH. 197 Ex.
175. Representatives King, Jucling and Warnke (by Public Employees' Collective Bargaining Committee request): Making certain amendments to the public employees' collective bargaining. ....	449	449	569	643	643	643	643	681	688 CH. 59

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176. (SECOND SUBSTITUTE) Committee on Labor (originally sponsored by Representatives King, Swayze, Savage, Bauer, Clemente, Knowles and Laughlin by Public Employees' Collective Bargaining Committee request): Creating public employees' collective bargaining unit for police and fire departments. ....	449, 742	449	569	630	630	630, 742	742	750	751	CH. 131
178. Representatives King and Morrison (by Public Employees' Collective Bargaining Committee request): Making certain changes in the laws regulating labor relations in health care activities. ....	1036	1036	1076							
183. Representatives Kraebel, Eng, Brown and Bauer: Authorizing school districts to pay travel expenses of certain prospective employees. ....	273, 782	277, 795	594	693			693			
185. Representatives Anderson, Charette and Bausch: Establishing state highway route number 115. ....	314	320	611	653	654	654		681	688	CH. 60
186. Representative Randall: Relating to revenue and taxation. ....	1764	1764		1764	1764	1764		1776	1776	CH. 195 Ex.
194. Representatives Lysen, Knowles and Kopet: Including air pollution control authority within the purpose of the interlocal cooperation act. ....	273	277	323	615	616	616		671	672	CH. 34



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195. Representatives Perry, Pardini <sup>*</sup> and Williams (by State Finance Committee request): Pro- viding for the issuance of general obligation bonds under the supervision of the state fi- nance committee for certain building purposes.	273	277	341	418	418	418	479	481	CH. 9
197. Representatives Perry, Pardini and Williams (by State Finance Committee request): Pro- viding for the sale of state general obligation bonds to finance certain highway construction.	1594	1663	1663	1663	1663	1664	1762	1766	CH. 169 Ex.
198. Representatives Chatalas, Curtis and Adams (by Department of Social and Health Services request): Extending the crediting of adoption fees to the adoption support account to the 1973-75 biennium and allowing the secretary of the department of social and health services to file his report in 1975.	415	417	611	659	659	659	681	688	CH. 61
204. Representatives Adams, Zimmerman, Perry, Parker and Kelley: Requiring disclosure of certain financial interests by medical prac- titioners.	395,	792, 1162	395, 795	947	1073, 1084	1084	1085, 1104	1104-1105	1162
208. (SUBSTITUTE) Committee on Local Govern- ment (originally sponsored by Representatives Sommers and North (Lois): Authorizing class A and AA counties to establish procedures for management of their property.	449, 782	449, 795	611	1600	1600	1600	1760	1766	CH. 196 Ex.
212. Representatives Pardini, Hurley, Kopet and May: Authorizing the Eastern Washington Historical Society to collect art and dispose of unneeded materials.	543	544	594	620	620	620	671	672	CH. 85
217. Representatives Kopet, Thompson, Bagnariol and Chatalas (by Legislative Budget Commit- tee request): Providing procedures whereby the state treasurer can invest certain surplus funds in time deposit accounts.	543, 738	545	569	616, 637	638	638	616	750	751

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221. (SUBSTITUTE) Judiciary Committee (originally sponsored by Representatives Parker, Ellis, Luders, Adams, Clemente, Gaines, Laughlin, Hansen, North (Frances), Kilbury, Valle, Bausch, Knowles, Hurley, May, Savage, Anderson, Goltz, Maxie, Eng, Beck, Douthwaite, Kallach, Gallagher, Randall, Bauer, Hausler, Bensch, Warnke, Bagnariol, McCormick, Rashinpoeh, Warnke, Ceccarelli, Chatalas, Van Dyk, Bender, Curtis, Fortson and Pardini): Making it a crime to resell food stamps and food purchased therewith or to purchase resold stamps or food.	830	831								
224. Representatives Hurley, Paris and Knowles (by Legislative Council request): Making certain changes in the executive conflict of interest act.	479, 735	480	570	607	607	607		750	751	CH. 137
225. Representatives Amen, Hausler, Schumaker, Tilly and Kallach: Implementing laws of motor vehicle equipment.	324, 792	329, 795	634	1154	1154	1154		1198	1199	CH. 17 Ex.
227. Representatives Warnke, Lysen and Ellis: Requiring public employers to allow some employees reasonable time off without loss of compensation to engage in bargaining.	1297	1297	1347							

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233. Representatives Maxie, Rabel, Charnley and King (by Joint Committee on Higher Education request): Correcting inconsistent, deleting obsolete, provisions of higher education code.	273	277	594	659	659	681	688 CH. 62
234. Representatives Maxie, King and Rabel (by Joint Committee on Higher Education request): Implementing law relating to higher education.	868	869	886	1272	1272	1300	1309 CH. 46 Ex.
235. Representatives Maxie, Rabel and King (by Joint Committee on Higher Education request): Providing educational benefits to children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia.	342	347	594	659	660	681	688 CH. 63
238. Representatives Benitz, Kilbury, Haussler, Morrison and Tilly (by Department of Agriculture request): Redefining boundaries of Washington state fruit commission districts. . .	249	253	313	443	443	479	481 CH. 11
240. Representatives Rabel, Douthwaite, Swayze, Randall, Kraabel, Blair, Bluechel, Goltz, Brown, Ceccarelli, Charnley, Chatalas, Williams, Bausch, Adams and Perry (by Executive and Secretary of State request): Lowering legal age for use of alcoholic beverages. . . . .	479	480	673	674	675	480, 644, 651, 843	726 727 CH. 100
242. Representatives Luders, Knowles, Pardini and Patterson: Declaring it a misdemeanor to duplicate or possess a duplicate of a key to a public building. . . . .	868	869					
249. Representatives Kopet, Thompson and Bluechel: Providing for the abolishment of the weather modification board. . . . .	364	389	554	646	646	681	688 CH. 64
252. Representatives Ceccarelli, Pardini, Eikenberry and Leckenby: Providing for a deferred compensation program for state employees. . . 1098, 1628	1101	1146	1530	1530	1530	1760	1766 CH. 99 Ex.

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257. Representatives Curtis, Kopet, Smythe and Wilson: Allowing cities to join in county park and recreation service areas. ....	543	545	594	669	669	669	.....	681	688	CH. 65
259. Representatives Flanagan, Williams, Hausler and Randall (by Permanent Property Tax Committee request): Providing 30 days to appeal a decision of a county board of equalization to the state board of tax appeals. ....	637, 782	637, 785	.....	.....	.....	.....	.....	.....	.....	.....
262. Representatives Smythe, Bauer, Zimmerman and Laughlin: Creating a board of trustees for the state school for the blind. ....	395, 785	395	611	649	649	649	.....	750	751	CH. 118 P. V.
263. Representatives Julin, Charette, Hausler, Polk, Hayner and Eikenberry: Setting the period within which claimants may file suit against a county. ....	415	417	595	629	630	630	.....	671	672	CH. 36
264. (SUBSTITUTE) Committee on Judiciary (originally sponsored by Representatives Smythe, May, Kuehnle and Luders): Implementing the law relating to liens, including mechanics' and materialmen's liens. ....	1297, 1527	1287	1347	1394	1396	1396	.....	1527	1527	CH. 47 Ex.
268. Representatives Thompson, Rabel, Charnley, Kilbury, Kuehnle and McCormick: Excluding certain casual meetings and collective bargaining, grievance, or mediation proceedings from the public open meetings act. ....	507	508	595	640	641	642	.....	681	688	CH. 66

273. (SUBSTITUTE) Committee on Labor (originally sponsored by Representatives Savage, Kilbury, Gaines, Gaspard and Warnke): Compelling class 1 railroads to provide walkways on all bridges and trestles over which the lines of such railroads will run.	543, 792	545, 795	586	660	660	661	
277. Representatives Nelson and Douthwaite: Providing a specific day for the legislative body of code cities to meet for the purpose of fixing the budget.	324	329	635	662	662	681	688 CH. 67
278. Representatives Haussler, Flanagan, Brown, Ellis, Bender, Clemente and Tilly (by Joint Committee on Education request): Implementing the law relating to joint school districts.	364	389	570			662	
279. Representatives Savage, Zimmerman and Adams (by Department of Social and Health Services request): Providing some industrial insurance benefits to inmates of juvenile forest camps.	449	450	586	662	662	681	688 CH. 68
280. Representatives Paris, Conner and Chatalas (by Department of Social and Health Services request): Changing the terms of certain advisory councils of the department of social and health services and eliminating certain committees.	395, 792	395, 795	611			702	
281. Representatives Ellis, Kuehnle and Randall: Authorizing school district boards to have hearing officers.	543	545	595	623	624	671	672 CH. 49
284. Representatives Hoggins, Charnley and Moon (by Legislative Council request): Providing for the preservation and recording of surveys.	364	389	570			671	672 CH. 50



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300. Representatives Ceccarelli, Gaspard, Luders, Barden, Rabel, Eikenberry and Maxie: Defining certain areas for investment and expanded services by mutual savings banks. ....	915	917	1084	1215	1215	1259	1259	CH. 31 Ex.
302. Representatives Kopet, Knowles, Julin, Amen and Leckenby (by Department of Social and Health Services request): Providing new penalties for possession of marijuana by person serving a sentence in a penal institution. ....	342, 792	347, 796	595					
304. Representatives Chatalas, Bluechel and North (Frances): Changing law respecting school district's contribution for insurance and protection of board members, employees, etc. ....	479, 792	480, 796	595, 612, 635	892	892	898	948	CH. 9 Ex.
305. Representatives Pardini, Adams, Kopet, Thompson, Cunningham and Hendricks (by Department of Social and Health Services request): Providing additional procedures for enforcing support obligations. ....	1098, 1642	1101	1389 1606, 1617	1584, 1617	1617	1617	1762	CH. 183 Ex. 1766 P. V.
306. (SUBSTITUTE) Committee on Ecology (originally sponsored by Representatives Thompson, Julin, Luders and Zimmerman by Executive request): Providing for environmental coordination procedures. ....	1076, 1444	1077	1170 1273, 1305	1305	1305	1273	1591	1592 CH. 185 Ex.
307. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to judges' retirement system—code correction. . .	324	329	554	574	574	575	671	672 CH. 37
308. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to fees of clerks of superior courts—code correction.	324	329	555	575	575	575	671	672 CH. 38
309. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to county budgets—code correction. ....	324	329	555	575	575	575	671	672 CH. 39
310. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to industrial insurance—code correction. ....	324	329	555	576	576	576	671	672 CH. 40

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311. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to veterans' bonus—code correction. ....	324	329	555	576	576	576	.....	671	672 CH. 41	CH. 41
312. Representatives Knowles, Julin and Charette (by Code Reviser's request): Pertaining to motor vehicle fuel taxes—code correction. ....	324	329	555	577	577	577	.....	671	672 CH. 42	CH. 42
316. (SUBSTITUTE) Committee on Parks and Recreation (originally sponsored by Representatives Luders, Zimmerman, Laughlin, North (Lois), Kraabel and O'Brien): Providing for the registration and regulation of boats. ....	1171	1172	.....	.....	.....	.....	.....	.....	.....	.....
320. Representatives Erickson and Ehlers: Enlarging the area of residence for persons eligible for membership in the state soldiers' home. ...	395	395	635	703	703	703	.....	726	727 CH. 101	CH. 101
321. Representatives Charette, King, Kilbury, Max- le, Douthwaite, Ehlers, Valle, Fortson, Gal- lagher, Julin, Swayze, Morrison, Newhouse, Rabel, Benitz, Brown, Hayner, Eikenberry, Hendricks, Cunningham, Tilly and Pardini: Providing for a limitation on the private prac- tice of law by an attorney general or any of his assistants. ....	479	480	555	578	578	579	.....	671	672 CH. 43	CH. 43



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323. (SUBSTITUTE) Committee on Judiciary (originally sponsored by Representatives Fortson, Clemente, Bender, Hansen and North (Frances): Providing mandatory sentencing for certain violations involving controlled substances. ....	1171, 1642	1172	1211	1595, 1601	1596, 1602	1596, 1602	1554, 1601	1762	1766	VETOED
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324. Representatives Kopet, Shinpoch, Morrison and Curtis: Regulating recommendations for changes in state budget accounting methods. ....	792, 1444	481, 796	1221	1273	1277	1277	.....	1591	1592	CH. 100 Ex.
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325. Representatives Swayze and Knowles: Specifying venue of actions against the state. ....	543	545	555	680	680	680	.....	671	672	CH. 44
328. Representatives Julin and Kelley (by Secretary of State request): Eliminating the filing requirement for articles of incorporation by a foreign corporation. ....	543	545	.....	.....	.....	.....	.....	.....	.....	.....
329. Representatives Julin and Kelley (by Secretary of State request): Setting requirements for corporate names for miscellaneous and mutual corporations. ....	543	545	.....	.....	.....	.....	.....	.....	.....	.....
330. Representative Kelley (by Secretary of State request): Changing the laws of involuntary dissolution of miscellaneous and mutual corporations. ....	543	545	570	663	663	663	.....	681	688	CH. 70
331. Representatives Julin, and Kelley (by Secretary of State request): Requiring reports of foreign corporations and reducing the penalty for filing late reports. ....	543	545	570	663	663	664	.....	681	688	CH. 71
332. Representatives Amen, Haussler, Laughlin, Bauer, Curtis, Schumaker and Tilly: Exempting minors employed by a parent from extraordinary employment classification. ....	543	546	612	697	698	698	699-700	726	727	CH. 124

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	337. Representatives Perry, Rabel, Thompson, Morrison, Douthwaite and Pardini (by Department of Social and Health Services request): Removing restrictions on convicted felons from obtaining certain employment. ....	449, 734	450	612	643	644	644	.....	750	751	CH. 136
	340. (SUBSTITUTE) Committee on Social and Health Services (originally sponsored by Representatives Morrison, Johnson, Smythe and Maxie by Department of Social and Health Services request): Implementing law on tuberculosis hospitalization and control. ....	1298, 1865, 1707	1298	1389	1534	1534	1534	1685	1761	1766	CH. 213 Ex. P. V.
	342. Representatives Julin, Polk, Thompson, Curtis and Newhouse: Permitting cities, towns and special taxing districts to purchase liability insurance for officers and employees. ....	543, 733	546	612	664	664	664	.....	750	751	CH. 125
	346. Representatives Swayze, Knowles and Elkenberry (by Department of Social and Health Services request): Implementing law of detention of juveniles. ....	449, 792	450, 795	612	1394	1394	1394	.....	1627	1627	CH. 101 Ex.
	349. Representatives Gallagher, Parker, Jueling, Erickson, Kelley and Gaspard: Regulating commercially licensed troll vessels. ....	1015, 1775	1018	1390	1718, 1731	1732	1734	1719	1776	1776	VETOED

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351. (SUBSTITUTE) Committee on Social and Health Services (originally sponsored by Representatives Lyсен, Fardini, Ellis, Goltz, Eng and Van Dyk): Increasing and reconstituting the membership of the state pharmacy board.	998, 1121	999	1014	1087	1087	1088	1162	1173 CH. 18 Ex.
352. Representatives Moon, Flanagan, Williams and Erickson: Pertaining to listing of exempt property.	868	869						
356. Representatives Conner, Bauer, Zimmerman, Schumaker and Beck: Changing certain legal holidays.	1036, 1527	1036	1086	1287, 1372	1287, 1373	1373	1287-1288, 1372	1527
359. Representatives Luders, Flanagan, Maxie, Lyсен, Brown and Bauer (by Secretary of State and Joint Committee on Education request): Authorizing community education pilot programs and appropriating funds therefor.	548, 733	546	612	693	694	694		750
360. Representatives Bauer, Kraabel, Erickson, Ceccarelli, Gaines, Laughlin and Paris: Authorizing use of school buses to transport elderly persons to beneficial programs of activities.	395, 599	395	439	573	574	574		671
361. Representatives Adams and Parker (by Department of Social and Health Services request): Amending the law regarding contracts to furnish medical care to recipients of public assistance.	868	869	1086	1553	1554	1554		1760
362. Representatives Adams, Cunningham and Parker (by Department of Social and Health Services request): Subrogating the department of social and health services to certain rights of persons who receive public assistance.	868, 1629	869	1087	1566, 1586	1597	1597	1567	1761
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363. Representatives Adams, Cunningham, Parker and Tilly (by Department of Social and Health Services request): Changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported. ....	868, 1642	869	1097 1554, 1595	1595	1595	1595	1555, 1556	1762	1766	CH. 49 Ex.
364. Representatives Wojahn, Paris and Adams (by Department of Social and Health Services request): Providing for conditional licensing of department of social and health services employees who are Canadian doctors. ....	415, 791, 844	417, 796	612 682, 689, 692, 805	579, 682, 689, 692, 805	692, 805	693, 805	680, 682, 690, 804	855	855	CH. 4 Ex.
365. Representatives Bluechel, Conner and Williams (by Department of Social and Health Services request): Providing for qualifications of superintendents of institutions. ....	868	870	1097							
366. Representatives Bauer, Rabel, Erickson, Ccarelli, Gaines, Hendricks, Laughlin, Paris and Smythe: Authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms. ....	395	395								
367. Representatives Gaspard, Nelson and Kelley: Changing law relating to warrants of public school teachers. ....	543	546	595	645	645	645		681	688	CH. 72

369. Representatives Conner, Morrison, Knowles, Martinis, Adams, Warnke, Bausch, Beck, Gaines and Kilbury: Changing pension benefits of volunteer firemen. ....	329, 796	685, 1300	1314	1314	1591	1592 CH. 170 Ex.
373. Representatives Bauer, Hoggins and Charette: Reconciling certain double amendments and conflicting provisions in education code. ....	543	570	619	619	671	672 CH. 46
374. Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison: Providing for certification of operators of water supply systems. ....	844	845	1390	1556	1557	
376. Representatives Gallagher, Johnson, Polk and King: Creating an investment advisory committee and providing for the investment of certain public funds. ....	998, 1444	1000	1087	1308, 1387	1387	1527 CH. 103 Ex.
381. Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison: Providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants. ....	742, 750	396	566	614, 626	627	627, 743
385. Representatives Van Dyk, Kelley and Patterson: Establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state. ....	324, 792	329, 797	636			750
387. Representatives Wojahn, Kuehnle, Erickson and Ehlers (by Joint Committee on Education request): Implementing law relating to school district organization. ....	1170	1172	1198			751 CH. 139
388. Representatives Maxie, Smythe, O'Brien and Van Dyk (by Joint Committee on Education request): Making substantive changes to education code. ....	395	396	489	551	552	672 CH. 51

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Signed by Speaker of the House

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- 389. Representatives Bluechel, Thompson, Hurley and Randall (by Commissioner of Public Lands and Department of Commerce and Economic Development request): Providing for the exchange of lands having commercial recreational leasing potential. . . . . 364, 792
- 391. (SUBSTITUTE) Committee on Agriculture (originally sponsored by Representatives Amen, Kilbury, Thompson, Patterson, Hausler, Zimmerman, Van Dyk, Curtis, Tilly and Kalich): Creating a state conservation commission and defining its powers and duties. . . . . 915
- 392. (SUBSTITUTE) Judiciary Committee (originally sponsored by Representatives Wojahn, Shinpoch, Knowles, Kelley, Smith, Juelsing, Adams, Douthwaite, Erickson, Johnson, Kraabel, North (Lois) and Swayze by Judicial Council request): Revising the laws of divorce. 1036, 1444
- 394. Representatives Kilbury and Brown: Providing for changes in the publication of notice of proposed constitutional amendments. . . . . 868
- 396. Representatives Erickson and Brown: Providing for additional counting boards on election. . . . . 543, 793

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397. Representatives Lysen, Cunningham and Barnden (by Washington Public Deposit Protection Commission request): Making certain changes in the laws relating to public depositaries. ....	543, 733	546	586	627	628	628	750	751 CH. 126
399. Representatives Bluechel, Perry and Kopet (by Secretary of State request): Implementing laws relating to the secretary of state. ....	868	870						
402. Representatives King, Eng and Blair (by Secretary of State request): Relating to the counting of absentee ballots. ....	543, 733	546	613	652	652	653	750	751 CH. 140
404. Representatives Shipoch, Pardini, Sommers, Erickson, Kraabel and Maxie (by Washington State Women's Council request): Implementing laws against discrimination. ....	543	546	613	696	696	697	726	727 CH. 141
410. (SUBSTITUTE) Committee on Social and Health Services (originally sponsored by Representatives Maxie, Paris, Adams, Zimmerman, Smythe, Ceccarelli, Gaines, Gaspard, Goltz, Kelley, Nelson and Van Dyk by Governor's Task Force on Aging request): Authorizing certain services for senior citizens. ....	982, 1592	982	1116	1386	1386	1386	1714	1714 CH. 61 Ex.
415. Representatives Bauer, Hoggins, Smythe, Charrette, Ehlers, May, North (Frances), Savage, Clemente, Bender, Wajahn, McCormick, Ceccarelli, Laughlin, Bausch, Moon, Zimmerman, Johnson, Lysen, Hendricks, Ellis, Hansey, Goltz, Gallagher, Chatalas, Bagnariol, Adams, Douthwaite, Matthews, Tilly and Van Dyk (by Superintendent of Public Instruction request): Implementing the law relating to vocational education. ....	428, 792	428, 797	914					
417. Representative Thompson (by Attorney General's request): Providing for notice to the attorney general in court actions concerning water. ....	415, 792	417, 797						

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418. Representatives Ceccarelli, Bagnariol and Gasparid (by Department of General Administration request): Providing additional regulations for bank and trust company investments. ....	830, 1582	832	914 1312, 1316	1278, 1316 1279, 1316	1316	1316 1309, 1312	1279,	1713	1728	CH. 104 Ex.
419. (SUBSTITUTE) Committee on Ways and Means (originally sponsored by Representatives Bagnariol, Morrison, Ceccarelli, Parker and Van Dyk by State Teachers' Retirement System request): Implementing law relating to the state teachers' retirement system. ....	1343, 1714	1345	1666	1666	1666	1668 1668, 1669		1762	1766	CH. 189 Ex.
420. Representatives Savage, Morrison and Gallagher (by Department of Employment Security request): Making certain administrative changes in unemployment compensation. ....	507, 782	508, 797	586	1587	1587	1587	665	1761	1766	CH. 158 Ex.
422. Representatives Bausch and Kilbury (by Department of Labor and Industries request): Changing the name of the division of safety, department of labor and industries to the division of industrial health and safety. ....	863	870	1076	1568	1568	1568	.....	1761	1766	CH. 82 Ex.
423. Representatives Ceccarelli and Rabel (by Department of Commerce and Economic Development request): Providing for alien banks in Washington. ....	1055	1056	.....	1279	1279	1279		1300	1309	CH. 53 Ex.



426. Representatives Eng, Brown and Maxie (by Secretary of State request): Publishing notice of constitutional amendments and referendum bills. ....	868	870	981	.....	.....	.....	.....	.....	.....
428. Representatives Johnson, Kilbury and Benitz: Appropriating funds for the construction of the Benton-Franklin mental health and family counseling center. ....	1222	1225	1347	1439	1439	1439	1527	1527	1527 CH. 34 Ex.
429. (SUBSTITUTE) Committee on State Government (originally sponsored by Representatives North (Lois), Newhouse and May by Legislative Council request): Creating the uniform state mapping fund. ....	543, 792	546, 797	914	1587	1587	1588	1761	1761	1766 CH. 159 Ex.
435. (SUBSTITUTE) Committee on State Government (originally sponsored by Representatives Bausch, Hendricks, Thompson, Adams, Bagariol, Bauer, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Parker, Paris, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams by Public Employees Retirement Board request): Making certain revisions in the public employees' retirement system. ....	1297, 1642	1298	1625	1614, 1614	1616	1616	1617	1761	1766 CH. 190 Ex.
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438. Representatives Ceccarelli, Gaspard and Bagariol (by Department of General Administration request): Permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions. ...	865	868	1034	1280	1280	1280	1301	1301	1309 CH. 64 Ex.



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531. Representatives Bagnariol and Pardini: Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership. ....	855	859	1097	1573	1573	1573		1761	1766	CH. 163 Ex.
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704. Representatives Bluechel, Perry and Kopet (by Executive request): Planning and funding capitol office facilities.	1443, 1628	1620	.....	1520	1521, 1535	1522, 1535	1527, 1528	1714	CH. 217 Ex. P. V.
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928. Representatives Thompson, Pardini and Gaspard: Implementing the state liquor laws. ....	1259	1260	1390	1576	1576	1577	1761	1766 VETOED
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1099. Representative Perry: Providing that the requirement of union membership for all members of a bargaining unit may be removed by majority vote of the entire membership. ....	1259	1261	1390	1579	1579	1761	1766 CH. 75 Ex.	
1105. Representatives Luders, Zimmerman, Kilbury and Johnson: Permitting the use of a short form for filing water rights claims. ....	1259	1261	1311	1579	1579	1761	1766 CH. 113 Ex.	
1108. Representatives Martinis, Luders, Adams, Kallich, Hansen, Kilbury, Fortson, Parker, Jastad and Clemente: Enhancing the propagation of wildlife. ....	1594	1664		1664	1664	1762	CH. 200 Ex. 1766 REF. # 33	

TITLE AND HISTORY OF HOUSE JOINT MEMORIALS IN THE SENATE

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1. Representative Parker (by State Militia request): Providing 9th Infantry Division be designated "The Northwest's Own" . . . . .	249, 791	253, 798	597	1580	1580	1580		1761	1766
5. Representatives Johnson, McCormick, Hurley, Knowles, Kopet, Kuehne, Luders, Mays and Pardini: Requesting issuance of Expo '74 commemorative postage stamp. . . . .	249	254	571	607	607	608		672	672
6. Representatives Wojahn, Kelley and McCormick (by Governor's Task Force on Aging request): Requesting earnings limitation on social security recipients be raised. . . . .	855	859	1014	1139	1139	1139		1170	1173
7. Representatives Eng, Matthews and Charnley (by Governor's Task Force on Aging request): Memorializing need for expanded legislation and financing of medicare. . . . .	855	859							
8. Representatives Adams, Maxie, Paris, Zimmerman and Smythe (by Governor's Task Force on Aging request): Memorializing Congress to permit receipt of social security increases with deduction in welfare grants. . . . .	855	859							
9. Representatives Parker, Cunningham, Wilson and Warnke (by Secretary of State request): Requesting Congress to help Dr. Pat Smith continue her program in Vietnam. . . . .	479, 791	481, 798	613	1128	1128	1128		1170	1173
10. Representatives Matthews, Charnley, Eng and Nelson (by Governor's Task Force on Aging request): Requesting Congress to take action on health care services for the elderly. . . . .	855, 1222	859	1015	1139, 1165	1139, 1165	1165		1259	1259

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11. Representatives Goltz, Matthews, Adams, Van Dyk, Eng, Fortson, Ellis, May, Wojahn and Ceccarelli: Memorializing Congress for quality medical and health care services for all citizens. ....	855	859	1211		
14. Representatives Chatalas, Bausch, Hendricks, Zimmerman, Conner, Ceccarelli, Beck, Adams, Williams, Thompson, Rabel, Luders, Douthwaite, Lysen, Barden, Kraabel, King, North (Lois), Blair, O'Brien and Charnley: Providing funding for wildlife refuge on the Nisqually Delta. ....	746, 791	751, 788	914	1141	1170
21. Representatives Lysen, Goltz, Van Dyk, Eng, Williams, Johnson, Ellis, Erickson, Shinpoeh, Maxie, Bagnariol, Ehlers, Kalich, Adams, Moon, King, Gallagher, Perry, Savage, Jastad, Wojahn, McCormick, Thompson, Bauer, Sommers, Parker, Clemente and Bender: Requesting secondary of health, education and welfare to reconsider certain regulations. ....	1222	1226	1348	1725	1762
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6. Representative Savage: Allowing bills introduced at a session to carry over to subsequent sessions of the same legislature. ....	1222	1227	1348	1227, 1382	1352	.....	1227, 1352	.....	.....
10. Representatives North (Lois), Chatalas, Swayze, Charnley, Bluechel, Kilbury, Fortson, Thompson, Wojahn, Rabel, Goltz, Savage, King, Erickson, Valle, Williams, Ellis, Sommers, Maxie, North (Frances), Hayner, Patterson, Leck-enby, Blair, Smythe, Ceccarelli and Shinpoch (by Executive and Washington State Women's Council request): Ratifying federal equal rights amendment. ....	464, 791	465, 798	613	949	953	954	921-924, 955	981	982
22. Representatives Kraebel, O'Brien, Bluechel and Barden: Amending the Constitution to permit tax increment financing of urban development. ....	1269	1261	1525	1709	1709	1710	.....	1762	1766
37. Representative Randall: Relating to revenue and taxation. 1594, 1713	.....	1642	.....	1642	1643	1643	.....	1761	1765
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TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE

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2. Representative Charette: Specifying three joint sessions of House and Senate. ....	11	11	.....	11	11	11	.....	13	19
3. Representative Charette: Joint session to receive Premier of British Columbia. ....	53	56	.....	56	56	56	.....	99	100
9. Representatives Smythe, Bauer, Zimmerman, Laughlin, Curtis, Julin and Pardini: Making Miss Washington honorary state hostess. ....	428	429	.....	429	429	429	.....	479	481
10. Committee on Rules: Representatives Sawyer, Charette, O'Brien, Chatalas, Thompson, May, Jastad, Newhouse, Juelling, Berentson, Flanagan, Swayze, Gallagher, Conner, Anderson and Morrison: Adopting joint rules. ....	137	144	.....	144-145, 146-150, 474-475	160	160	.....	164	164
14. Representative Charette: Memorial service for deceased former members. ....	202	207	.....	207	207	207	260	213	213
18. Representatives Luders, Bagnariol, Adams, Perry, Charette, Kopet, Barden, Kuehne, Knowles, Curtis, Randall, Shinpoch, Kilbury, Schumaker, Bauer, Hurley, Van Dyk, Polk, Cunningham, Garrett, Hendricks, Gilleland, Ceccarelli and Laughlin: Resolving department of social and health services proceed with a work incentive program. ....	749, 791	782, 799	1116	1580	1580	1580	.....	1761	1766
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32. Representative Charette: Notifying governor that legislature is organized. ....	789	789	.....	789	789	.....	789	792	803
42. Representative Charette: Joint session presenting Viet Nam bonus check to prisoner of war. ....	888	888	.....	888	888	888	.....	948	971
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- Highway commission, east capitol campus, one-way couplet access, design, construction, \*SB 2337, CH. 174 EX.
- Evergreen state college campus, interchange structures, four-lane parkway connection, construction, \*SB 2337, CH. 174 EX.
- Operations, capital improvements, 1973-75 biennium, SB 2328, \*Sub SB 2328, CH. 222 EX. PV.
- State route no. 501, Ridgefield to Woodland, extension, SB 2686.
- Streets, roads, nonstate highways, design, location, construction, \*SB 2337, CH. 174 EX.
- Legislative budget committee, teachers' retirement, public employees' systems, merger study completion, appropriation, \*Sub HB 497, CH. 127.
- Legislature, transportation and utilities committees, various studies, \*Sub SB 2748, CH. 210 EX. PV.
- Local governmental, state general fund, distribution provision, SB 2631.
- Lottery, state fund, SB 2004.
- Mass transportation department, SB 2789.
- Migrant workers, labor camp demonstration project, title only, SB 2701.
- Motor vehicles department, motor vehicle accidents, insurance underwriting program, SB 2230.
- Old age assistance, grants increase, supplemental budget appropriation, provision, SB 2106, \*Sub SB 2106, CH. 8.
- Omnibus, state government operations, 1973-75 biennium, SB 2104, Sub SB 2104, \*Sub SB 2854, CH. 137 EX. PV.
- Personnel department, state facility termination, employees economic impact, provisions, HB 1054, SB 2603.
- School districts, excess levy relief, state operating budget, provision, \*Sub SB 2854, CH. 137 EX. PV.
- Secretary of state, state tax structure revision, \*Sub HB 498, CH. 215 EX. PV, \*Sub SB 2247, CH. 141 EX.
- Social and health services department, citizens advisory council on alcoholism problems, distribution provisions, \*SB 2435(a), CH. 155 EX. PV.
- Operations budget, SB 2800, \*Sub SB 2800, CH. 139 EX. PV.
- Spokane nursing center, W.S.U. budget, provision, \*Sub SB 2740, CH. 131 EX.
- State government, capital improvements, 1973-75 biennium, SB 2105, \*Sub SB 2105, CH. 114 EX.
- Operations, omnibus, 1973-75 biennium, SB 2104, Sub SB 2104, \*Sub SB 2854, CH. 137 EX. PV.
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- Supplemental budget, 1973-75 biennium, SB 2106, \*Sub SB 2106, CH. 8, \*Sub SB 2106(a), CH. 8.
- State treasurer, local mass transit assistance purposes, \*Sub SB 2813, CH. 136 EX.
- Statute law committee, session laws, publication, distribution, \*HB 1008, CH. 73 EX.
- Superintendent of public instruction, community education, pilot programs, SB 2196, \*HB 359, CH. 138.
- Operations budget, \*SB 2803, CH. 134 EX.
- School district employees, unemployment compensation coverage, payment, SB 2321(a).
- Supplemental budget, miscellaneous expenditures, \*Sub HB 498, CH. 215 EX. PV.
- State government, 1973-75 biennium, SB 2106, \*Sub SB 2106, CH. 8, \*Sub SB 2106(a), CH. 8.
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- Toll bridge authority, operations, capital improvements, 1973-75 biennium, SB 2328, \*Sub SB 2328, CH. 222 EX. PV.
- Transportation department, SB 2507.
- Transportation, utilities, various subjects, studies, Sub SB 2731.
- Urban arterial board, operations, capital improvements, 1973-75 biennium, SB 2328, \*Sub SB 2328, CH. 222 EX. PV.
- Voter registration records, computer files, 5th - 8th class counties, establishment, payment provision, Sub SB 2197.
- Washington state university, grass, turf burning, seed production purposes, alternate methods, study, SCR 110.
- Whatcom family service, Bellingham, construction, appropriation, \*HB 428(a), CH. 34. EX.

## AQUACULTURE:

- Fish farming, aquaculture use, salmon eggs, supply, time limitation removed, HB 636.

## ARBORETUMS:

- Seattle, U. of W. budget, appropriation provision, \*Sub SB 2740(a), CH. 131 EX.

## ARCHAEOLOGICAL SITES:

- Archaeology, title only, SB 2905.

## ARCHIVES:

- Public records, retention, protection, disposal, reproduction provisions, SB 2078, \*HB 86, CH. 54.

## ARMED FORCES (see Military):

## ARREST:

- Bail, certain persons, court appearance, oral promise, provisions, SB 2831.
- Motor vehicle operators, failure to stop for police, crime, SB 2277.
  - Under influence, intoxicants, controlled substances, reasonable belief basis, provision, SB 2617.
- Public assistance recipients, felony arrest warrant, address, departmental record disclosure, provision, \*SB 2008(a), CH. 152.
- Records, employers, insurers, discriminatory use, prohibited, SB 2645.

## ARSON:

- Law, definitions, provisions, penalties, revised, SB 2151.

## ART:

- Associations, exhibit collections, property tax exempt, SB 2007.
- Eastern Washington historical society, art collections, other surplus, disposal authorized, \*HB 212, CH. 35.

## ARTICLES OF INCORPORATION:

- Foreign corporations, filing requirements eliminated, \*SB 2252, CH. 89.

## ASBESTOS:

- Standards, use, construction, manufacturing, establishment authorized, \*HB 89, CH. 30.

## ASIAN-AMERICAN AFFAIRS:

- Commission, created, duties, SB 2005.

## ASIAN DEVELOPMENT BANK:

- School, college, university funds, certain, surplus, securities investment authorized, SB 2510.

ASSESSMENTS:

- County assessors, administrative costs, local government organizations, cost sharing authorized, SB 2092.
- Forest fires, protection assessments, increased, \*SB 2790, CH. 182 EX.
  - Payment, time period extended, \*SB 2790(a), CH. 182 EX.
- Livestock, personal property tax, monthly average holdings basis, HB 1011.
- Milk, levy, gross price basis, \*HB 112, CH. 41 EX.
- Open space, farm, agricultural, timber lands, taxes, current use provisions, SB 2177, Sub SB 2177.
  - Agricultural timber lands, taxes, general revisions, SB 2049, SB 2155, SB 2177.
- Personal property, omitted taxpayer report, assessed value reporting required, HB 706.
- Property, personal, assessors records, sales, use taxes, revenue department use, liability determination purposes, SB 2808, \*HB 1019, CH. 74 EX.
  - Real, taxable, records, documents, public inspection authorized, \*HB 293, CH. 69.
  - Tax exempt listings, description, requirements revised, HB 352.
- Sewer districts, charges, corrections, modifications, lien provisions, SB 2237.
- Valuation, assessor's rolls, errors, correction provision, SB 2651.

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ASSISTANCE AUTHORITY:

- Higher education, created, \*Sub SB 2407, CH. 120 EX.

ASSOCIATIONS:

- Bar, governors, election, one lawyer, one vote basis, provision, SB 2826.
  - Washington, legal services, nonprofit prepaid group, corporation establishment, authorized, SB 2405.
- Historical, scientific, art, exhibit collections, property tax exempt, SB 2007.
- Holding companies, control, 100% of one bank, 25% of more than one bank, authorized, \*SB 2643, CH. 92 EX.
- Legal services, nonprofit prepaid group, formation authorized, SB 2041, SB 2405, SB 2560.
- Nonprofit, athletic purposes, property tax exempt, SB 2624.
  - Laundry service to nonprofit hospitals, sales tax exempt, \*SB 2841, CH. 145 EX.
- Legal services, uniform consistent application, administration, language revised, Sub HB 593.
- Savings and loan, state supervision costs, payment provision, HB 566.

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- Apollo 17, joint session, report, \*HCR 46 . . . . . pp. 1065-1069

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- Environment, quality impairment prevention actions, commencement authority, SB 2932.
- Legal services, state agencies, actual cost allocation provisions, SB 2329.
- Private practice, attorney general and assistants, prohibited, \*HB 321, CH. 43.
- State officials, criminal proceedings, conduct of office cases, defense, representation authorized, HB 523.
- Support proceedings, ADC children, class AA counties, authority, SB 2211.
- Water, court actions, filings, attorney general, notice requirement, HB 417.

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- Attorney general, assistants, private practice, limitation provision, \*HB 321, CH. 43.
- Bar association, governors, one lawyer, one vote basis, provision, SB 2826.
- Corporation, nonprofit group services, prepaid, bar association establishment, authorized, SB 2405.
- Eminent domain, proceedings, reasonable fees, determination factors defined, SB 2399.

## ATTORNEYS—Continued:

- Employees, state, higher education reinstatement cases, court costs, fees provision, SB 2474.
- Fees, damage actions, under \$1,000, prevailing party, allowance provisions, \*SB 2042, CH. 84.
  - Defendant acting on own behalf, natural person, allowed, SB 2204.
  - Open public meetings, violation cases, actual cost, award provisions, SB 2149.
  - Out-of-state defendants, civil cases, provision repealed, SB 2828.
  - Reasonable amount, court determination provision, SB 2205.
  - Replevin actions, stolen goods, pawnbroker's possession, provision, SB 2332.
  - Workmen's compensation, claims, schedule, setting, provisions, SB 2130.
- Justice courts, defense counsel, public expense, county payments authorized, \*SB 2069, CH. 10 EX.
- Legal services, prepaid, nonprofit group services, bar association establishment, authorized, SB 2405.
- Prosecuting, counties 4th class and larger, full time service required, private practice prohibited, SB 2934, \*SB 2352, CH. 86 EX.
  - Deputies appointments, residence outside county, permitted, SB 2934.
    - Fourth class counties, part time service, private practice, county commissioners' authorization provision, SB 2934, \*SB 2352, CH. 86 EX.
  - Law reform activities, authorized, SB 2934.

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- State, fiscal management, state agency practices, recommendations authorized, \*SB 2326, VETOED.

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- Data processing, created, powers, duties, SB 2595, \*HB 720, CH. 219 EX. PV.
- Geological, created, membership, powers, duties, SB 2652.
- Higher education assistance, created, duties, SB 2407, \*Sub SB 2407, CH. 120 EX.
- Housing, public, unemployment compensation, employees coverage, election authorized, SB 2668.
- Senior centers, multi-purpose, social and health services department, creation authorized, SB 2414.
- State building authority, abolished, \*HB 195, CH. 9.

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- Data processing authority, created, powers, duties, SB 2595, \*HB 720, CH. 219 EX. PV.
  - Plan, state, long, range, consolidation, centralization purposes, SB 2595, \*HB 720, CH. 219 EX. PV.
- State agencies, payroll accounting, unified system, demonstration project, \*HB 720(a), CH. 219 EX. PV.
- Voter registration records, computer files, data storage format, provision, Sub SB 2197.
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## AUTOMOBILES (see also MOTOR VEHICLES):

- Stopping, spot checking, certain purposes, police authorized, SB 2014.

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Residents precincts less than 100 voters, issuance, use, provisions, SB 2429.

Election, punchcard, recount procedures, established, SB 2780.

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Propositions, non-statewide, campaign expenditures, limitation removed, SB 2206.

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- Holding companies, control, 100% of one bank, 25% of more than one bank, authorized, \*SB 2643, CH. 92 EX.
- Industrial development corporations, member institutions, loan limit increased, \*SB 2571, CH. 90 EX.
- Insolvent banks, F.D.I.C., receiver, liquidator, appointment authorized, \*HB 438, CH. 54 EX.
- Mortgages, reserve accounts, financial institutions, payment required, SB 2929.
- Mutual savings, executors, wills, estates less \$250,000, appointment permitted, SB 2655.
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- Mutual savings banks, loans, investments, certain real estate, housing, improvements, second mortgages, less than market rate return, higher risk degree, authorized, \*HB 300, CH. 31 EX.
- Title only, SB 2928.
- Public deposit, definition expanded, \*HB 397(a), CH. 126.
- Public depositories, city, town, county, superior court funds deposits, designation provisions, \*HB 397(a), CH. 126.
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- Governors, election, one lawyer, one vote basis, provision, SB 2826.
- Legal services, nonprofit prepaid group, corporation, establishment authorized, SB 2405.

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- Barber-stylist, practice, licensing, provisions, SB 2023, \*SB 2088(a), CH. 148 EX.
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- Agriculture, advisory, created, membership, duties, HB 292, SB 2406.
- Alcoholism administrative, counties, creation, duties, provisions, \*SB 2435(a), CH. 155 EX. PV.
- Appeals, insurance commissioner's office, no-fault motor vehicle claims, established, duties, SB 2134.
- Appraising, created, duties, SB 2032.
- Assessor's budget, counties, created, duties, SB 2092.
- Blind, school trustees, created, duties, \*HB 262, CH. 118 PV.
- Budget, legislative, created duties, SB 2604.
- Community college, contract executions, vice-chairman, authorized, SB 2573.
- Disadvantaged programs, appropriation provision, \*Sub SB 2740, CH. 131 EX.
- Community corrections, counties, established, duties, SB 2921.
- Established, duties, department of social and health services, SB 2397.
- Counting, elections, paper ballots, additional appointment provisions, \*HB 396, CH. 102.
- Crime intelligence advisory, legislature, created, duties, \*Sub SB 2717, CH. 202 EX.
- Crime victims compensation board, created, SB 2062.
- Reparation, created, duties, SB 2304.
- Criminal justice, education and training standards boards, established, duties, SB 2132.
- Education, state, members, gubernatorial appointment, provisions, SB 2273.
- Electric utility safety advisory, created, duties, SB 2653.
- Electricians, advisory, created, duties, HB 294, \*SB 2183, CH. 206 EX. PV.
- Equalization, proceedings records, delinquent taxes due, county transmittal, program planning and fiscal management office duty, \*SB 2360, CH. 95 PV.
- Examiners for nursing home, administrators, membership increased, qualifications changed, HB 286.
- Official court reporters and free-lance reporters, created, duties, SB 2248.
- Fire equipment testing and licensing, created, duties, SB 2298.
- Fire training advisory, created, duties, SB 2267.
- Fishing, commercial licenses, review board, appointment authorized, duties, SB 2495, \*HB 349 VETOED.
- Fraudulent practices claims, insurance commissioner's office, no-fault motor vehicle claims, established, duties, SB 2134.
- Geographic names, created, duties, \*SB 2504, CH. 178 EX.
- Herring, commercial licenses, review board created, \*SB 2918(a), CH. 173 EX. PV.
- Human resources program, counties, established, SB 2611.
- Investments, state, created, duties, finance committee duties transferred, SB 2461, Sub SB 2461.
- Judicial retirement, judges' retirement system, administration vested, SB 2561.
- Libraries and information science, created, duties, SB 2166.
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- Naturopathic physicians, disciplinary, created, duties, SB 2186, Sub SB 2186.
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- Parks and recreation, two regional boards created, powers, duties, SB 2922.
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- Prison terms and parole, membership reduced, powers, duties, revised, SB 2519.
- Public employees' retirement system, board, membership increased, SB 2387, \*Sub HB 435, CH. 190 EX.
- Purchasing appeals, created, duties, SB 2215.
- School directors, elections, terms uniformity, limitations, provisions, SB 2292.
- School district, hearing officers, employment authorized, SB 2448, \*HB 281, CH. 49.
- School districts, 3rd class, membership increase, election procedures, provisions, SB 2307.



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- Shorelines hearings, administrative practice, procedure, rules, regulations, adoption provision, SB 2914.
- State employees' insurance, membership, higher education representative, provision, SB 2066, \*Sub SB 2066, CH. 147 EX.
- State funds, investment, classes of securities, authority provisions, \*HB 376, CH. 103 EX.
- Tax appeals, informal hearing decisions, de novo review, superior court, provisions, HB 114.
- Property, formal, informal hearings, election provision, HB 114, SB 2232.
- Urban arterial, planning, community environmental, social, economic requirements, additional general provisions, SB 2639.
- Veterinary, board secretary, authorized, duties, HB 385.
- Waste water, operator certification examiners, appointment, duties, \*HB 381, CH. 139.
- Weather modification, abolished, duties transferred to ecology department, \*HB 249, CH. 64.

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- Commodities, destined for marine shipment, public utilities excise tax, pending loading. exempt, SB 2420.
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- Fishing, commercial, purchases, operation outside territorial waters, sales, use tax exempt, SB 2688.
- Fuel, motor vehicle, tax refunds eliminated, HB 87.
- Hydrofoils, demonstration purposes acquisition, highway department appropriation, \*Sub SB 2328, CH. 222 EX. PV.
- Moorage, private vessels, state parks, fees authorized, SB 2923.
- Motorboats, stolen, manufacturer's serial number, altered, destroyed, rightful owner, return, disposal, provisions, SB 2416.
- Pilots, rest periods, minimum requirements, SB 2335.
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- Ships, piloted, safety standards, requirements, SB 2239.
- Troll vessels, fishing, commercially licensed, use, regulation, SB 2495, \*HB 349 VETOED.
- Vessels, boats, safe operation, equipment, numbering, registration, regulation, Sub HB 316.
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- Building maintenance contractors, surety, filing, required, SB 2372.
- Buildings, state authority, indebtedness refund, issuance provisions, \*HB 195, CH. 9.
- Colleges, universities, certain construction, student services, activity fees, payment allocation, \*Sub SB 2739, CH. 130 EX.
- Commission merchants, agricultural products, security in lieu of surety bonds. provisions, \*HB 504, CH. 142.
- Community colleges, anticipation notes, use authorized, SB 2506.
- Expo 74, building bond redemption fund, 1973-A, created, \*SB 2309, CH. 116 EX.
- Higher education, capital construction, state finance committee issuance authorized. \*SB 2805, CH. 135 EX.
- Highways, construction, maintenance, highways, under \$25,000, competitive bids. performance bond waiver, \*SB 2464, CH. 116.
- Urban areas, county, city arterials, finance, general obligation bonds, issuance. \*HB 197, CH. 169 EX.
- Irrigation districts, sewer service revenue, water, sewer, electric improvement bonds retirement provisions, SB 2576, \*HB 455, CH. 74.
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- Pollution control, municipal facilities, acquisition, funding, issuance authorized, \*HB 729, CH. 132.
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- Sewer districts, general obligation, sewer revenue, issuance authorized, SB 2347.
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- Urban development, property, real, value, tax increases, attributable to project, indebtedness payment provision, \*HJR 22.
- Vehicles, for hire, liability insurance, mandatory minimums increased, \*SB 2056, CH. 15.

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- Korean war veterans, filing date extended, SB 2302.
- Veterans, double amendments, code corrections, \*HB 311, CH. 41.
- Eligibility, beneficiaries, provisions revised, SB 2017.
- Viet Nam, returning prisoner, presentation, joint session, \*HCR 42.

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- Fruit commission, district #2, changed, \*HB 238, CH. 11.
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- Insurance, license revocations, nonrenewals, hearing appeal, any superior court, SB 2523, \*HB 721, CH. 107 EX.
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- Conservation, established, duties, soil and water conservation committee abolished, \*Sub HB 391, CH. 184 EX.
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- Fruit, district #2, boundaries, changed, \*HB 238, CH. 11.
- Gambling, created, powers, duties, Sub SB 2145, \*Sub HB 711, CH. 218 EX. PV.
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  - Members' own horses, racing prohibited, SB 2846.
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- Professional practice, established, superintendent of public instruction office, SB 2786.
  - Sports, created, duties, SB 2682.
- Public deposit protection, depository losses, securities, assets distribution provisions revised, \*HB 397(a), CH. 126.
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- Southwest Washington fair, abolished, property, rights, jurisdiction, ownership transfer, provisions, \*SB 2890, CH. 97 EX.
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- Hearing, public, corresponding committee of other house, joint hearing provision, \*SCR 125(a).
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- Natural resources, joint, created, powers, duties, SB 2599.
- Parole, social and health services department, established, duties, SB 2519.
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- Vehicles, aircraft, parts, accessories, construction use, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.

## CONSUMER PROTECTION:

- Advertising, claims, inability to perform, refund, crime provisions, SB 2829.
- Camping clubs, protection act coverage, inclusion, \*SB 2139, CH. 79 EX.
- Chain distribution schemes, prohibited, \*HB 782, CH. 33 EX.
- Consumer affairs department, created, duties, HB 640.
- Consumer goods, services, implied warranties disclaimers, unenforceable, Sub HB 10, SB 2156.
- Warranties, regulation, provisions, SB 2460.
- Contractors, out-of-state, home repairs, false pretenses, untrue work estimates, crime, SB 2393.
- Discrimination, credit, insurance, transactions, sex, marital status, age reasons, prohibited, SB 2422, \*HB 404, CH. 141.
- Edible substances, alterations, placement, crime, \*HB 75, CH. 119.
- Food salvager, licensing, regulation, provisions, SB 2886.
- Perishable packaged foods, shelf life, poll date, \*SHB 1055, CH. 112 EX.
- Unfair business practices, injury, damages, awards, monetary limitation, removed, SB 2157.
- Unit pricing, grocery stores, regulations, HB 1026.
- Requirements, regulations, SB 2241.

## CONTESTS:

- Merchants, retail, promotional, regulation, SB 2693, Sub SB 2447?

## CONTRACEPTIVES:

- Services, specified circumstances, provisions, SB 2334.

## CONTRACTORS:

- Bids, submission, prior to registration, late registration penalty fee, \*SB 2544, CH. 153 EX.
- Building maintenance contractors, filing, required, SB 2372.
- Electrical, registration requirement, excluded, \*HB 483, CH. 161 EX.
- Out-of-state, license required, SB 2393.
- Public works, dispute arbitration clause, plans and specifications contracts, required, SB 2417.
  - Suspected wage violations, county notification procedure, \*HB 98, CH. 120.
  - Unpaid wages, liens, first priority against bonds, \*HB 98(a), CH. 120.
  - Violations, civil penalty, lien establishment, provisions, \*HB 98, CH. 120.
- Registration division, created, labor and industries department, \*SB 2544, CH. 153 EX.
- Water well construction, license qualifications, experience requirement, provision, HB 663.

## CONTRACTS:

- Annuities, pure endowment, valuation provision revised, \*HB 485, CH. 162 EX.
- Athletic, sport franchises, private nongovernmental, ad valorem tax exemption, HB 1006, SB 2818.
- Attorney, counties, services, certain purposes, authorized, SB 2280, SB 2306.
- Cemetery prearrangement, burial services, merchandise purchase, provisions, \*HB 821, CH. 68 EX.
- Clerks, county commissioner board duties, certain, authorized, SB 2280.
- Commission merchants, transaction records, reporting provisions, waiver contract, not permitted, HB 530.
- Community colleges, state system, board, contract executions, additional personnel authorized, provisions, SB 2573.
- Fire protection, services, state agencies, institutions, municipal corporations, required, SB 2396.
  - State, municipal property, adjacent, within fire district areas, provision, \*HB 685, CH. 64 EX.
- Health care services, agreements, contractors, insurance definition, inclusion, SB 2591.
  - All licensed practitioners, equal participation basis, SB 2577.
  - Subscriber rejection, 10-day period, provision, SB 2528, \*HB 705, CH. 65 EX.
- Installment retail sales, governing RCW provisions transfer, provisions, SB 2587.
- Insurance, forms, uniform minimum standards, automobile, home coverage, authorized, SB 2526.
  - Group, insured persons, ownership incidents, assignment provisions, \*HB 531, CH. 163 EX.
  - Variable, benefits, investment experience reflection, provision, \*HB 531, CH. 163 EX.
- Legislators, state contracts, provisions disclosure, SB 2537.
- Municipal, competitive bidding requirements, issuance violations, penalties, SB 2408.
- Personal services, all, capitol committee approval requirement, SB 2200.
  - Certain, office of program planning and fiscal management, approval, filing requirement, HB 90.
- Public assistance recipients, medical care, vendors' charges, presentation, time period extension, \*HB 361, CH. 48 EX.
- Public construction, pollution, natural resources preservation provisions, inclusion, \*HB 621, CH. 62 EX.
- Public employees, collective bargaining, binding arbitration authorized, \*HB 175, CH. 59.
- Public works, dispute arbitration clause, plans and specifications contracts, required, SB 2417.
  - Project delays, environmental litigation, bonding, cancellation procedures, HB 649, \*HB 621(a), CH. 62 EX.
  - Retained percentage, trust account deposit, interest payment, provisions, SB 2667.
- Retail installment sales, finance charges, general provisions, SB 2788.

## CONTRACTS—Continued:

- Teachers, nonrenewal, dismissal cases, hearing officer, school district employment, SB 2448, \*HB 281, CH. 49.
- Superintendents, dismissal, adverse contract status cases, self disqualification, intermediate school board hearing provision, SB 2448.
- Nonrenewal, dismissal, notice, service, hearings, provisions revised, SB 2448.
- Tenants, rental, non-payment, no forwarding address, crime, SB 2881.
- Title only, SB 2875.
- Wood debris, removal, navigable waters, provision, \*HB 134, CH. 136.

## CONTROLLED SUBSTANCES:

- Abuse, program reductions, U.S. health, education and welfare department, proposed regulations, withdrawal petitioned, \*HJM 21.
- Drugs, legend, distribution, administration, dispensation, regulations, penalties, \*HB 766, CH. 186 EX.
- Heroin, sale for profit, mandatory death sentence, SB 2419.
- Hypodermic needles, syringes, sales, records, regulation, HB 549, SB 2432.
- Motor vehicle operators, alcohol, drugs, blood test levels, intoxication evidence provisions, SB 2124.
- Intoxicated, test refusal, occupational license request, filing provision, SB 2781.
- Physical control, under influence, penalties, SB 2199, SB 2622.
- Under influence alcohol, drugs, determination, urinalysis provision, SB 2398.
- Intoxicants, controlled substances, reasonable belief basis, provision, SB 2617.
- Violations, federal installations, state report provisions, SB 2199, SB 2622.
- Prisoners, possession, penalties, HB 302.
- Sale, illegal, mandatory sentences, \*Sub HB 323 VETOED.
- Title only, SB 2772.
- Violations, production, transportation provisions, revisions, SB 2147.

## CONVENTIONS AND CONFERENCES:

- Center facilities, funding lodging excise tax, use authorized, SB 2494.

## COPYRIGHTS:

- Music, pooled works, holders' agent, appointment requirement, SB 2260.

## CORPORATIONS:

- Annual reports, filing, county auditor's fee, established, HB 142.
- Foreign, domestic, substantial statute compliance, \*SB 2253, CH. 90.
- Banks, trust companies, incorporation, organization, provisions revised, \*HB 418, CH. 104 EX.
- Own and other bank stock, real estate, investment limitations, \*HB 418, CH. 104 EX.
- Clearing, definition expanded, \*HB 462, CH. 98.
- Fiduciaries, securities, deposit authorized, \*HB 467, CH. 99.
- Corporation, nonprofit group services, formation authorized, SB 2041, SB 2405, SB 2560.
- Debenture companies, securities, regulation, \*HB 638, CH. 171 EX.
- Domestic international sales, certain gross income, B & O taxes, exclusion provision, SB 2809.
- Federal deposit insurance corporation, insolvent banks, receiver, liquidator, appointment authorized, \*HB 438, CH. 54 EX.
- Foreign, annual reports, filing, requirement, SB 2255, \*HB 331, CH. 71.
- Articles of incorporations, filing requirement eliminated, \*SB 2252, CH. 89.
- Domestic, annual reports, substantial statute compliance, filing authorized, \*SB 2253, CH. 90.
- Holding companies, control, 100% of one bank, 25% of more than one bank, authorized, \*SB 2643, CH. 92 EX.
- Humane societies, exclusive operating authority, county granting authority, \*Sub SB 2554, CH. 125 EX.



## CORPORATIONS--Continued:

- Income tax, state, imposition authorized, \*HJR(a) 37.
- Industrial development, member institutions, loan limit increased, \*SB 2571, CH. 90 EX.
- Industrial development corporations, historic buildings, areas, investment, assistance authority granted, \*SB 2571, CH. 90 EX.
- Legal services, nonprofit prepaid group, bar association establishment, authorized, SB 2405.
  - Formation authorized, SB 2041, SB 2405, SB 2560.
  - Prepaid, nonprofit group services, formation authorized, SB 2041, SB 2405, SB 2560.
- License, lapse, reinstatement, business privilege, time, fee provisions, SB 2477.
- Medical practitioners, patient referrals, corporations, associations, financial interest disclosures, \*HB 204, CH. 26 EX.
- Mutual, annual reports, failure to file, dissolution, reinstatement provisions, SB 2254, \*HB 330, CH. 70.
  - Corporate name, word requirements, \*SB 2251, CH. 113.
  - Miscellaneous, nonprofit, annual reports, filing date, May to March change provision, \*SB 2258, CH. 146.
    - Substantial conformity, filing permitted, \*SB 2258, CH. 146.
- Nonprofit, articles of incorporation, copy, city, town clerk, county auditor, filing required, SB 2442.
  - Property tax exemptions, uniform consistent application, administration, language revised, Sub HB 593.
- Nonresident, secretary of state, summons service fee increased, \*SB 2400, CH. 108.
- Public, grants-in-aid, federal programs, participation authorized, SB 2843.
- Real estate, transfers, by individuals to wholly-owned corporations, excise tax exempt, SB 2896.
- Registered agent, secretary of state, summons service fee increased, SB 2475.
- Shareholders, missing, notice requirement, voting provisions, \*HB 41, CH. 28.
- Tax, income, flat rate, imposed, state structure revised, SB 2247, \*Sub SB 2247, CH. 141 EX.

## CORRECTIONAL INSTITUTIONS (see Institutions):

## CORRECTIONS DIVISION:

- Created, social and health services, administration authorized, \*SB 2036 VETOED.

## COSMETICS:

- Injury, possible cause, food, drugs, cosmetic, sale embargo, SB 2492.

## COSMETOLOGISTS:

- Men's haircutting, authorized, \*SB 2088, CH. 148 EX.
- Practice, license, provision, \*SB 2088, CH. 148 EX.

## COST OF LIVING:

- Public employees' retirement system, retirees, annual increase provisions, SB 2387, \*Sub HB 435, CH. 190 EX.
- Teachers, system, membership, contribution rates, cost of living factors, funding, general provisions, \*Sub HB 419, CH. 189 EX.
- Workmen's compensation benefits, state-wide average monthly wage basis, adjustment provision, SB 2325.
  - Surviving spouse, totally disabled workmen, state average monthly wage basis, additional provisions, \*SB 2327, CH. 147.

## COUNCILMEN:

- Cities, 3rd, 4th class, compensation fixing, revising by ordinance, provision, \*SB 2453, CH. 87 EX.

## COUNCILS:

- Alcoholism, citizens' advisory, membership, size, composition, duties, provisions, \*SB 2435(a), CH. 155 EX. PV.
- Building code advisory, established, SB 2634, Sub SB 2634.
- Congressional acts, required state committees, councils, expenses, legislative appropriation provision, SB 2516, SB 2605.
- Emergency service, state, local, regional, established disaster-response planning, SB 2313.
- Employment security advisory, appointed, SB 2556.
- Fisheries department, advisory, created, duties, \*SB 2339 VETOED.
- Hearing aids, created, duties, SB 2059, Sub SB 2059, \*Sub HB 674, CH. 106 EX.
- Judicial, county clerk, position established, \*SB 2082, CH. 18.
- Mental health and mental retardation, abolished, HB 280.
- Nursing home, advisory, membership reconstructed, SB 2412.
- Per diem, legislators, interim period official business, increased, \*Sub HB 174(a), CH. 197 EX.
- Science and technology, advisory council, renamed, duties, membership, SB 2009.
- Social and health service department, advisory councils, committees, members' terms extended, HB 280.
- Technological education, advisory, appointed, SB 2120, Sub SB 2120.

## COUNTIES:

- Adult supervision special programs, local communities, probationers, state payment to counties provisions, \*SB 2491, CH. 123 EX.
- Air pollution, outside activated control authority, burning permits, jurisdiction provision, \*Sub HB 862, CH. 193 EX.
- Alcoholism administrative boards, creation, duties, provisions, \*SB 2435(a), CH. 155 EX. PV.
- Annexations, petitions, resolutions, final action, time period requirement, SB 2388.
- Arterials, construction, finance, general obligation bonds, issuance, \*HB 197, CH. 169 EX.
- Assessors, taxable real property, assessment, records, documents, public inspection authorized, \*HB 293, CH. 69.
- Attorneys, services, certain purposes, contracts authorized, SB 2280, SB 2306.
- Bids, competitive, contract requirements, issuance violations, penalties, SB 2408.
- Boards, community corrections, established, duties, SB 2921.
- Bonds, refunding funds, U.S. obligations, investment provisions expanded, \*SB 2293, CH. 25 EX.
- Budgets, preliminary preparation, code corrections, \*HB 309, CH. 39.
- Unanticipated funds, supplemental appropriation, county commissioners' authorization, \*HB 130, CH. 97.
- Buildings, duplicate keys, use, possession, crime, HB 242.
- Buses, municipal corporations, oversize fees, exempt, SB 2936.
- Cascade, created, SB 2271.
- Central committees, organizational meetings, date changes, \*SB 2053, CH. 85.
- Claims, damage, against counties, filing after disallowance notice, time provision, \*HB 263, CH. 36.
- Class A, AA, port district commissioners, candidates, filing provisions revised, SB 2191.
- Clerks, county commission board duties, certain, contracts authorized, SB 2280.
- Community corrections boards, established, duties, SB 2921.
- Convention center facilities, class A, first class counties, funding, lodging excise tax, use authorized, SB 2494.
- Corporations, annual reports, filing, auditor's fee, established, HB 142.
- Depositories, public, fund deposits, designation provisions, \*HB 397(a), CH. 126.
- Dwellings, dangerous buildings, cities, delinquent demolition assessment, interest rate revised, \*SB 2452, CH. 144 EX.
- Electronic machines, commercial, inspection, authorized, SB 2677.
- Employees, collective bargaining, involvement, time off, compensation provisions, HB 227.

## COUNTIES—Continued:

- Compensation deferral, insurance, annuities, purchase provisions, SB 2785, \*HB 252, CH. 99 EX.
- Evergreen, created, SB 2499.
- Fire protection, state, municipal property, adjacent, within fire district areas, provision, \*HB 685, CH. 64 EX.
- Districts, support, service charge, imposition authorized, SB 2099, \*Sub SB 2099 VETOED.
- Election provision, \*Sub SB 2099 VETOED.
- Fires, statewide statistics, fire marshal reporting, local jurisdictions, required, SB 2296.
- Flood control zones, permit program administration, local administration, delegation authorized, \*HB 551, CH. 75.
- Funds, time deposits, interest, U.S. treasury six-month bill auction basis, HB 1047.
- Maximum rate established, SB 2103.
- Treasurer, auditor jurisdiction, salary fund purposes, disbursement provision, \*HB 36, CH. 38 EX.
- Gambling, certain, authorized, local option, taxing provisions, \*Sub HB 711, CH. 218 EX. PV.
- Gas pipeline, facilities, conveyances, owner, operator, liability provisions, SB 2121.
- General fund, state, appropriation, local government distribution, SB 2631.
- Group homes, halfway houses, for released institutionalized juveniles, developmentally disabled, 1st class counties, operation authorized, \*SB 2256(a), CH. 198 EX. PV.
- Health care services, group insurance, retired employees, payments continued, SB 2445.
- Human resources program board, coordinated, comprehensive planning, services, program provision, SB 2611.
- Humane societies, exclusive operating authority, granting provision, \*Sub SB 2554, CH. 125 EX.
- Initiatives, referendums, voter proposal, approval provisions, SB 2143.
- Insurance, liability, taxing districts, employees, officials, purchase authorized, \*HB 342, CH. 125.
- Irrigation districts, plats, short, final, water right-of-way, approval requirement, \*HB 60(a), CH. 150.
- Jails, state-wide minimum standards, provisions, SB 2898.
- Joint school districts, individual districts, county designation, state board selection, provisions, \*SB 2331, CH. 47.
- Judge, administrative, multiple justice, municipal courts, appointment, SB 2476.
- Justice courts, additional justices, appointment, county commissioners authorized, \*SB 2071, CH. 14 EX.
- Defense counsel, public expense, county payments authorized, \*SB 2069, CH. 10 EX.
- Juvenile probation services, program costs, officer salaries, benefits, provisions, \*SB 2256, CH. 198 EX. PV.
- Land comprehensive plans, portions of county, authorized, \*HB 827, CH. 172 EX.
- Lands, use, regulation, planning, state, local authority, provisions, HB 791.
- Legal aid services, all counties, operation authorized, \*HB 847, CH. 69 EX.
- Legal notices, newspaper printing, maximum rates established, \*SB 2312, CH. 28 EX.
- Lewis, southwest Washington fair, commission abolished, property, rights, jurisdiction, ownership transfer, provisions, \*SB 2890, CH. 97 EX.
- Liquor taxes, share, alcoholism program support, alcoholism administrative board approved, required, \*SB 2435(a), CH. 155 EX. PV.
- Local government, reorganization, title only, SB 2725.
- Title only, SB 2724, SB 2726, SB 2727, SB 2728, SB 2729, SB 2730.
- Mass transportation, public, municipal systems, general obligation bonds issuance provision, SB 2813.
- State matching financial assistance provisions, appropriations, \*Sub SB 2813, CH. 136 EX.
- Municipal corporations, fire protection service, local district contract required, SB 2396.

## COUNTIES—Continued:

- Officials, appointed, financial disclosure, annual statements, filing required, SB 2697.
- Elected, certain, salary establishment, resolution provisions, SB 2821.
- Elective, certain, salary increase, \*SB 2513, CH. 88 EX.
- Mileage expenses, allowance increased, HB 150.
- Recall charges, detailed complaint descriptions, requirement, SB 2678.
- Open public meetings, collective bargaining, professional negotiations, provisions, exempted, \*HB 268, CH. 66.
- Labor negotiations, exempt, SB 2160, SB 2272.
- Real estate acquisition matter, executive session authorized, SB 2150.
- Real estate leases, disposition matters, executive sessions authorized, SB 2212.
- Violation cases, attorney's fees, actual cost, award provisions, SB 2149.
- Park and recreation areas, city, town area inclusion, provision, \*HB 257, CH. 65.
- Polling hours, open 7 AM to 8 PM, mandatory provisions, \*HB 694, CH. 78.
- Pollution control, facilities acquisition, funding, bonds issuance, authorized, \*HB 729, CH. 132.
- Port districts, commissioners, class AA counties, coextensive, nine councilman districts, election provisions, Sub HB 519.
- Treasurer, other than county treasurer, selection authorized, SB 2095.
- Property management, all counties, comprehensive procedures, establishment authorized, \*Sub HB 208, CH. 196 EX.
- Property tax, levy limitation, millage allocations, SB 2102, SB 2225, SB 2346, Sub SB 2346.
- Prosecuting attorney deputies, appointments, residence outside county, permitted, SB 2934.
- Public land exchange, commercial recreational leasing potential, provision, \*HB 389, CH. 50 EX.
- Public lands, state, municipal, transfers, leases, exchanges, permitted, \*SB 2508, CH. 109.
- Public works, construction delays, various causes, contractor's costs, payment, arbitration provisions, \*HB 621(a), CH. 62 EX.
- Railroad grade crossings, protection fund, cost apportionment formula, revised, \*SB 2075, CH. 77 EX.
- Records, film, photographic reproduction materials, state auditor approval provision, \*SB 2360, CH. 95 PV.
- Retention, protection, disposal, reproduction provisions, SB 2078, \*HB 86, CH. 54.
- Reforestation lands, proceeds, county disposition, allocations, provisions, SB 2480.
- Regional planning commissions, plans, programs, municipal conformity provisions, SB 2318.
- Roads, design, location, construction, highway commission appropriation, \*SB 2337, CH. 174 EX.
- Projects under \$50,000, day labor portions, competitive bidding required, SB 2478.
- Sales tax, state, municipal portion, public transportation system use, provision, SB 2692.
- School districts, first class, AA counties, student population, number requirement reduced, SB 2915.
- Sewer districts, area, more than one county, annexation provision, SB 2848.
- Sewer systems defined, SB 2572.
- Storm, surface water authority, services, combined charges, provisions, SB 2572.
- Sewer, sanitation services, counties, 2nd, 3rd class, cities, provision authorized, SB 2575.
- Southwest Washington fair, commission, abolished, property, rights, jurisdiction, ownership transfer, provisions, \*SB 2890, CH. 97 EX.
- State school lands, municipal parks use, open space registrations, lease costs, provisions repealed, \*HB 155, CH. 57.
- Taxes, delinquent, amount due, county notice transmittal, program planning and fiscal management office duty, \*SB 2360, CH. 95 PV.
- Liquor, share, alcoholism program support, alcoholism administrative board approval, required, \*SB 2435(a), CH. 155 EX. PV.

## COUNTIES—Continued:

- Local government, treasurer revenue report, distribution provisions, repealed, \*HB 165, CH. 58.
- Real property, fair valuation, establishment, alternative method, provisions, SB 2413.
- Treasurer's collection register, auditor submission requirement, repealed, \*HB 164, CH. 45 EX.
- Television, reception improvement districts, directors, bonding requirement repealed, \*HB 107, CH. 55.
- Title only, SB 2723, SB 2878.
- Travel, officer's mileage allowance increased, HB 150.
- Tuberculosis treatment facilities, programs, support levy provisions, \*Sub HB 340, CH. 213 EX. PV.
- Uniformed personnel, fire, police, certain cities, class AA counties, collective bargaining, negotiations, arbitration, provisions, SB 2286, \*2nd Sub HB 176, CH. 131.
- Urban arterial trust account, preliminary proposals, construction projects, funds authorization provisions, \*SB 2590, CH. 126 EX.
- Urban arterials, planning, environmental, social, economic requirements, additional general provisions, SB 2639.
- Urban renewal projects, approval, vote of people required, SB 2122.

## COUNTY OFFICERS—ASSESSORS:

- Assessment rolls, valuation errors, correction provision, SB 2651.
- Assessments, administrative costs, local government organizations, cost sharing authorized, SB 2092.
- Assessor's budget board, counties, created, duties, SB 2092.
- Deputies, assistants, private appraisals prohibited, \*HB 291, CH. 11 EX.
- Private appraising, within county employed, auditor permission required, \*HB 291(a), CH. 11 EX.
- Property, personal, omitted taxpayer report, assessed value reporting required, HB 706.
- Real, taxable, assessment records, documents, public inspection authorized, \*HB 293, CH. 69.
- Tax exempt listings, description, requirements revised, HB 352.
- Property taxes, review claims, comparable sales compilations, availability provisions, SB 2094, \*HB 119, CH. 30 EX.

## COUNTY OFFICERS—AUDITORS:

- Absentee ballots, application lists, public inspection, copies, availability provisions, \*HB 617, CH. 61 EX.
- Assessors, deputies, assistants, private appraising, within county employed, permission required, \*HB 291(a), CH. 11 EX.
- Clerks, county commissioner board duties, certain, contracting authorized, duties revised, SB 2280.
- Corporations, annual reports, filing, county auditor's fee, established, HB 142.
- Nonprofit, articles, copy, filing required, SB 2442.
- Elections, counting boards, additional, appointment provisions, \*HB 396, CH. 102.
- Judges, inspector, election boards, opposite political parties, auditor designation, Sub SB 2026.
- Liens, filing, owner notification required, HB 32.
- Precinct lists, poll books, copies, actual cost provision, SB 2487.
- Taxes, treasurer's collection register, submission requirement, repealed, \*HB 164, CH. 45 EX.
- Teachers, warrants issuance, written employment contracts file requirement repealed, \*HB 367, CH. 72.
- Vote counting centers, tallying systems, location provision revised, \*Sub HB 903, CH. 70 EX.
- Voters, new registration, information card, issuance provision, \*HB 34(a), CH. 153 PV.
- Voters registration, postcard system, provisions, SB 2472.

**COUNTY OFFICERS—CLERKS:**

- Court records, retention period, decreased, \*SB 2048, CH. 14.
- Judicial council, position established, \*SB 2082, CH. 18.
- Superior court, fees, code corrections, \*HB 308, CH. 38.

**COUNTY OFFICERS—COMMISSIONERS:**

- Justice courts, additional justice's appointment, authorized, \*SB 2071, CH. 14 EX.

**COUNTY OFFICERS—PROSECUTING ATTORNEYS:**

- Attorneys, services, contracting, certain purpose, authorized, duties revised, SB 2280, SB 2306.
- Counties, 4th class, full time service required, private practice prohibited, SB 2934, \*SB 2352, CH. 86 EX.
- Deputies, appointments, resident outside county, permitted, SB 2934.
- 4th class counties, part time service, private practice, county commissioners' authorization provision, SB 2934, \*SB 2352, CH. 86 EX.
- Environment, quality impairment prevention actions, commencement authority, SB 2932.
- Law reform activities, authorized, SB 2934.
- Public works, contractors, suspected wage violations, county notification procedures, \*HB 98, CH. 120.

**COUNTY OFFICERS—SHERIFFS AND PUBLIC SAFETY DIRECTORS:**

- Election, nonpartisan basis, provisions, SB 2249.
- Juvenile records, court proceedings, legal files, records inspection, sealing, destruction, provisions, SB 2529.
- Services, official, fees increased, HB 129.
- Telephone charges, citizen calls, basic local area rate, charge provision, SB 2444.

**COUNTY OFFICERS—TREASURERS:**

- Justice courts, defense counsel, public expense, county payments authorized, \*SB 2069, CH. 10 EX.
- Port districts, treasurer, other than county treasurer, selection authorized, SB 2095.
- Public funds, undisbursed investment, certain U.S. securities, authorized, \*SB 2098, CH. 140 EX.
- Taxes, collection register, auditor submission requirement, repealed, \*HB 164, CH. 45 EX.
- Local government, revenue report distribution provisions, repealed, \*HB 165, CH. 58.
- Property, delinquent, interest rates, schedule revised, HB 138, SB 2092.
- Total collected amounts, taxing district distribution, provision, \*HB 127, CH. 43 EX.

**COURT REPORTERS:**

- Certification, standards, provisions, SB 2248.

**COURTS:**

- Appeals, judges, pro tempore appointments authorized, \*SB 2350, CH. 114.
- Attorney's fees, defendant acting on own behalf, natural person, allowed, SB 2204.
- Reasonable amount, court determination provision, SB 2205.
- Bail, certain persons, court appearance, oral promise, provisions, SB 2831.
- Personal appearance requirement, failure to appear, crime, SB 2351.
- Crime victims, repayment, defendant's money, property gain, awarding authorized, SB 2433.
- Defendants, convicted, superior courts, fee liability increased, \*SB 2080, CH. 16.
- Out-of-state, civil cases, attorney fees provision, repealed, SB 2828.
- District, clerk, revenue responsibility provision, SB 2060.
- Evidence, written recorded statements, admission, copies, furnishing requirement, SB 2343.
- Insurance agents, brokers, license revocations, nonrenewals, hearing appeal, any superior court, SB 2523, \*HB 721, CH. 107 EX.
- Judges, judicial annual conference, out of state locations, provisions, SB 2169.
- Pro tempore, appeals courts, appointments authorized, \*SB 2350, CH. 114.

## COURTS—Continued:

- Courts of record, 90 day service limitation, maximum income provisions, \*SB 2382(a), CH. 119 EX.
- Salary, expenses, remuneration established, SB 2140.
- Judges' retirement systems, code corrections, \*HB 307, CH. 37.
- Jurors, fees increased, SB 2411.
- Qualifications, sight, mind, provisions defined, SB 2214.
- Jury demand, filing fees, return, out of court settlement cases, time provision, SB 2830.
- Justice, defense counsel, public expense, county payments, authorized, \*SB 2069, CH. 10 EX.
- Municipal courts, courts of record, provision, SB 2503.
- Small claims department, jurisdiction, raised to \$300, \*HB 580, CH. 128.
- Raised to \$500, SB 2320.
- Small claims, unpaid, automatic registration, SB 2290.
- Juvenile, new system, jurisdiction, powers, duties, SB 2689.
- Proceedings, legal files, records, inspection, sealing, destruction, provisions, SB 2529.
- Juveniles, detention responsibilities, facilities, provisions, \*HB 346, CH. 101 EX.
- Municipal, jurisdiction, expanded, SB 2138.
- Sentences, punishment assessment, justices authority, provision, SB 2161.
- Primary elections, errors, wrongful acts, elector affidavit, filing provision, \*HB 698, CH. 165 EX.
- Record courts, justice, municipal, provisions, SB 2503.
- Records, superior courts, retention period decreased, \*SB 2048, CH. 14.
- Reporters, certification standards, provision, SB 2248.
- Superior, clerk fees, double amendments, code corrections, \*HB 308, CH. 38.
- Convicted defendant, fee liability increased, \*SB 2080, CH. 16.
- Judges, King county, number increased, SB 2315, \*Sub SB 2227, CH. 27 EX.
- King, Yakima, Mason/Thurston counties, number increased, \*Sub SB 2227, CH. 27 EX.
- Mason/Thurston counties, number increased, SB 2265, \*Sub SB 2227, CH. 27 EX.
- Yakima county, number increased, SB 2227, \*Sub SB 2227, CH. 27 EX.
- Superior, jury selection, electronic data processing system, use provisions, SB 2300.
- Notaries public, records deposit provisions, repealed, \*SB 2288, CH. 84 EX.
- Records, retention period decreased, \*SB 2048, CH. 14.
- Venue, claims against state, action commencement, provisions, \*HB 325, CH. 44.
- Supreme, justices, number reduced, SB 2330.

## COWLITZ COUNTY:

- Silver lake, weed control study, appropriation, SB 2086.

## CREDIT:

- Discrimination, sex, marital status, age reasons, prohibited, SB 2422, \*HB 404, CH. 141.
- Hotels, restaurants, defrauding, over \$75, felony, SB 2553.
- Law, general revisions, \*SB 2111, CH. 8 EX.
- Retail installment sales, finance charges, general provisions, SB 2788.

## CREDIT CARDS:

- Lost, stolen, counterfeited, use, felony, SB 2580.

## CREDIT UNION:

- Gifts, premiums, advertising, distribution, prohibited, certain exceptions, SB 2839, Sub SB 2839.
- Unions, law, general revisions, \*SB 2111, CH. 8 EX.

## CRIMES AND CRIMINAL PROCEDURES:

- Advertising, claims, inability to perform, refund, misdemeanor, SB 2829.
- Alcoholic beverages, sales to minors, gross misdemeanor, SB 2509.
- Animal cruelty, crime, penalties, comprehensive provisions, SB 2554.
- Arson, definitions, provisions, penalties, revised, SB 2151.

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- Bail, certain persons, court appearance, oral promise, provisions, SB 2831.
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- Capital punishment, abolished, SB 2010.
- Civil order, title only, SB 2877.
- Controlled substances, sale, illegal, mandatory sentences, \*Sub HB 323 VETOED.
- Credit cards, lost, stolen, counterfeited, use, felony, SB 2580.
- Crime, organized, intelligence unit created, duties, \*Sub SB 2717, CH. 202 EX.
- Crime victims' compensation board, created, SB 2062.
- Compensation provision, SB 2001, SB 2304.
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- Criminal code, enacted, SB 2063.
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- Heroin, sale for profit, mandatory death sentence, SB 2419.
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- Indians, juvenile delinquents, state jurisdiction, retrocession provision, SB 2003.
- Interpreters, legal proceedings, deaf, impaired persons assistance, appointment, \*SB 2282, CH. 22.
- Investigative and referral unit, special, created, powers, duties, SB 2647, Sub SB 2647.
- Keys, duplicate, public buildings, use, possession, crime, HB 242.
- Liquor, sale to minors, penalty reduced to gross misdemeanor, \*Sub SB 2600, CH. 209 EX. PV.
- Motion pictures, X, R rated, minors, attendance permitted, gross misdemeanor, SB 2097.
- Motor vehicle operators, failure to stop for police, crime, SB 2277.
- Motor vehicles, motorbikes, motorboats, stolen, manufacturer's serial number, altered, destroyed, rightful owner, return, disposal, provisions, SB 2416.
- Murder, aggravated, defined, death penalty, life imprisonment, provisions, SB 2030.
- Obscene materials, obscenity, redefined, penalties, SB 2051.
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- Prisoner's sentences, time served, crediting provisions, SB 2243.
- Probation, revocations, preliminary hearings, probable cause, provisions, SB 2244.
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- Public assistance recipients, address, departmental record disclosure, arrest warrant, provision, \*SB 2008(a), CH. 152.
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**CURBS AND RAMPS:**

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**DAIRIES AND DAIRY PRODUCTS:**

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- Funds, investment, time deposits, competitive bidding required, SB 2303, \*HB 397, CH. 126.
- Losses, deposit protection commission, securities, assets distribution provisions revised, \*HB 397(a), CH. 126.
- Qualified, city, town, county, superior court funds deposits, designation provisions, \*HB 397(a), CH. 126.
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- Group homes, halfway houses, for developmentally disabled persons, city housing authority operation, authorized, SB 2175, Sub SB 2175, 2nd Sub SB 2175.
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**DISABILITY—MEDICAL:**

- Industrial insurance, vision claims, applications, time limitation provision, SB 2585, \*HB 648, CH. 192 EX.
- State patrolmen, non-service incurred benefits, amount, reduction provision, SB 2659.
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- Community colleges, programs, appropriation provision, \*Sub SB 2740, CH. 131 EX.
- Students, elementary secondary, financial assistance, provisions, \*SB 2194, CH. 81.
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- State plan, federal assistance, resources, allocation, council functions, provisions, SB 2313.

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- Arrest records, employers, insurers, discriminatory use, prohibited, SB 2645.
- Care service contracts, all licensed practitioners, equal participation basis, SB 2577.
- Chiropractic, health care insurance, state programs, prohibited, SB 2675.
- Civil rights, constitutional guarantees, denials, complaints, investigation provision, SB 2665.
- Credit, insurance transactions, sex, marital status, age reasons, prohibited, SB 2422, \*HB 404, CH. 141.
- Equal rights, \*SB 2502, CH. 154 EX. PV.
- Handicapped, physical, employment, discrimination prohibited, SB 2276.
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- Optometrists, health care insurance, state programs, prohibited, \*SB 2592, CH. 48.
- Physically handicapped, employment, discrimination prohibited, SB 2276.
- Physicians, surgeons, hospital staff practice, discrimination prohibited, SB 2908.
- Sex, age, disability, national origin, prohibited, SB 2695.
- Students, attendance particular schools, race, creed, sex, color basis, state funds allocation not permitted, \*SB 2803(a), CH. 134 EX.
- College, university, state residents, preference, non-discrimination, selection provision, SB 2900.
- School assignment, race, creed, sex, color basis, prohibited, SB 2178.

## DISEASES:

- Communicable, school children, immunization, testing, requirements, SB 2837.

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- Expo 74, personal property use tax, exempt, SB 2684.

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- Clerk, revenue responsibility, SB 2060.
- Fire protection, services, state agencies, institutions, municipal corporations, contracts required, SB 2396.
- Judges, visiting, procedures, funds, provisions, SB 2154.
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- Community college, professional negotiations, members' definition revised, impasse committees, certification elections, provisions, \*SB 2153, CH. 205 EX. PV.
- Diking, commissioners, meeting attendance, compensation provisions, SB 2584.
- Fire protection, commissioners, compensation waiver authorized, \*SB 2074, CH. 86.
- Public utility excise tax, imposition authorized, SB 2182.
- Fire protection, support, service charge, imposition authorized, SB 2099, \*Sub SB 2099 VETOED.
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- Fruit commission, #2, boundaries, changed, \*HB 238, CH. 11.
- Irrigation, electric energy, purchase, surplus disposal, provisions, SB 2627.
- Real property, surplus, sale, adjoining owners, first refusal provision, \*HB 60, CH. 150.
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- Justice courts, certain, adjoining another state's metropolitan county, increase provision, \*SB 2071, CH. 14 EX.
- Library, rural, county, intercounty, withdrawal, books, funds, property, division provisions, SB 2316.
- Officials, appointed, financial disclosure, annual statements, filing required, SB 2697.
- Port, commissioners, class A, AA counties, candidates, filing provisions revised, SB 2191.
- Insurance coverage, provisions, \*SB 2176, CH. 6 EX.
- Port, public utilities, aggregate property levies, 1% of fair value limitation provisions, exempt, \*Sub HB 1060, CH. 194 EX.
- Treasurer, other than county treasurer, selection authorized, SB 2095.
- Taxing, county treasurer, total collected taxes, distribution provision, \*HB 127, CH. 43 EX.
- Liability insurance, employees, officials, purchase authorized, \*HB 342, CH. 125.
- Real property excess levies, regular levy restoration, base year formula calculation, SB 2451, \*HB 736, CH. 67 EX.
- Television reception improvement, directors, bonding requirement repealed, \*HB 107, CH. 55.
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## DIVISIONS:

- Adult corrections, created, institutions department, SB 2518.
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- Social and health services department, established, duties, \*SB 2435, CH. 155 EX. PV.
- Boating safety, created, parks and recreation commission, Sub HB 316.
- Children and youth services, created, institutions department, SB 2518.
- Contractor's registration, created, labor and industries department, \*SB 2544, CH. 153 EX.
- Corrections, social and health services department, created, \*SB 2036 VETOED.
- Forms management center, general administration department, established, duties, \*SB 2089, CH. 13.
- Lottery, established, revenue department, SB 2004(a).
- Mental health, created, institutions department, SB 2518.
- Probation and parole, created, institutions department, SB 2518.
- Safety, name change, industrial safety and health, \*HB 422, CH. 52 EX.
- Urban transportation, created, duties, SB 2796.

## DIVORCE:

- Actions, court, continuing jurisdiction, provision, SB 2535.
- Children, address, parent disclosure, public assistance records, provision, \*SB 2008, CH. 152.
- Visitation rights, provision, SB 2061.
- Divorce, marriage, uniform act, provisions, SB 2424.
- Domestic relations agency, created, jurisdiction, SB 2690.
- Incompetents, divorce actions, guardian filing, not authorized, SB 2536.
- Irretrievable breakdown, marriage, ground established, SB 2284, \*Sub HB 392, CH. 157 EX.
- Jurisdiction, spouse, domicile, time period provision, SB 2043.
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- Pleasure craft, construction, single family residences, property shorelines permit not required, \*SB 2833, CH. 203 EX.

## DOLLARS:

- Property taxes, levy rate, expressed in dollars per thousand dollars assessed valuation, \*HB 186(a), CH. 195 EX.

## DOMESTIC RELATIONS:

- Agency, created, powers, duties, SB 2690.
- Children, adoptions, natural parents, rights provisions, \*SB 2459, CH. 134.
- Divorce, annulment, visitation rights, provision, SB 2061.
- Illegitimate, parental rights, provisions, \*SB 2459, CH. 134.
- Discrimination, credit, insurance transaction, marital status, prohibited, SB 2422, \*HB 404, CH. 141.
- Divorce, actions, court continuing jurisdiction, provision, SB 2535.
- Incompetents, guardian filing, not authorized, SB 2536.
- Jurisdiction, spouse, domicile, time period provision, SB 2043.
- General provisions revised, irretrievable breakdown, ground established, \*Sub HB 392, CH. 157 EX.
- Filial support, illegitimate children, payments, age limit extended, \*HB 47, CH. 29.
- Marriage, divorce, uniform act, provisions, SB 2424.
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 Injury, possible cause, food, drugs, cosmetics, sale embargo, SB 2492.  
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## ECOLOGY:

- Air pollution control authority, interlocal cooperation act, public agency definition, inclusion, SB 2380, \*HB 194, CH. 34.
- Air, pollution, new emission, standards, compliance schedules, notice requirement, \*Sub HB 862, CH. 193 EX.
- Clean air act, violations, fines, maximum established, local payment enforcement provision, \*SB 2317, CH. 176 EX.
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- Department, dams, safety, comprehensive regulatory program, SB 2636.
- Flood control zones, permit program administration, local administration, delegation, authorized, \*HB 551, CH. 75.
- Social and health services department, water supplies, liquid wastes functions transferred, SB 2578.
- Environmental projects, involving 2 or more state agencies, administrative decision making procedures, established, \*Sub HB 306, CH. 185 EX.
- Environment, detailed impact statements, individual single family residence, governmental actions affecting, procedure, requirements exempt, \*Sub SB 2531, CH. 179 EX.
- Impact statements, detailed legislative proposals, governmental decisions, affecting more than 100 acres, required, SB 2531.
- Pollution control, municipal facilities, acquisition, funding, bonds issuance, authorized, \*HB 729, CH. 132.
- Pollution, new contaminant sources, emission control methods, construction, installation, approval provisions, \*Sub HB 862, CH. 193 EX.
- Property, real, ecological systems, conservation use, tax exempt, \*SB 2038, CH. 112.
- Public construction, contracts, pollution, natural resources preservation provisions included, \*HB 621, CH. 62 EX.
- Public water supply systems, comprehensive supply planning, regulations, Sub HB 611.
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- Title only, SB 2771.
- Waste treatment plants, classification, operator certification, ecology department regulation, HB 374, \*HB 381, CH. 139.
- Water pollution control, waste discharges permit program, state administration provisions, \*HB 594, CH. 155 PV.
- Weather modification board abolished, duties transferred to ecology department, \*HB 249, CH. 64.

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- State facilities, termination, employee alternative, HB 1054, SB 2603.

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- Apprentices, registered, during supplemental classes, industrial insurance coverage, authorized, \*SB 2527, CH. 110.
- Board, state, member, gubernatorial appointment, provisions, SB 2273.
- Certified employees, defined, \*HB 476, CH. 105 EX.
- Certified public accountants, continuing education prerequisites, annual permit renewals, requirement, \*HB 741, CH. 23 EX.
- Children, school age, under 18, work permit required, SB 2208, \*HB 388, CH. 51.
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- Code, double amendments, conflicting provisions, reconciled, SB 2391, \*HB 373, CH. 46.
- Community college students, pursuing high school diploma, G.E.D. certificate, free tuition, SB 2180.
- Community colleges, fees authority, inclusion, SB 2171, \*HB 234, CH. 46 EX.
- Community, programs, school districts, authorized, SB 2196, \*HB 369, CH. 170 EX.
- Criminal justice, education and training standards boards, established, duties, SB 2132.

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- Degrees, diplomas, written examination program, award provisions, SB 2310.
- Emergency preparedness instruction, mandatory course, SB 2455.
- Employees, certificated, defined, \*HB 476, CH. 105 EX.
- High school, vocational school students, certain, public assistance benefits, authorized, \*HB 753, CH. 35 EX.
- Higher, code, obsolete, inconsistent provisions, corrected, SB 2170, \*HB 233, CH. 62.
- Institutional programs, biennial review, recommendations, SCR 111.
- Intermediate, boards, elections, duties, general revisions, SB 2392.
- Joint committee, organizational change provisions, SB 2593.
- Joint school districts, individual districts, county designation, state board selection, provisions, \*SB 2331, CH. 47.
- Law enforcement officers, firemen, killed, disabled on duty, children, free college tuition, \*HB 442, CH. 191 EX.
  - Killed, disabled on duty, children, free tuition, \*HB 442, CH. 191 EX.
- Learning difficulties, student screening program, elementary schools provisions, SB 2834.
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- Mediation, conciliation and fact-finding service, established, superintendent of public instruction office, SB 2786.
- Military personnel, community college program, authorized, \*SB 2163, CH. 105.
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- Negotiations, school district rules, regulations, employee organization authorized, duties, SB 2786.
- Post-secondary, disadvantaged students, bank loans, assistance authority purchase provisions, SB 2407, \*Sub SB 2407, CH. 120 EX.
- Property, real, ecological systems, conservation use, tax exempt, \*SB 2038, CH. 112.
- School activities programs, state fund support, included, SB 2641.
  - District, hearing officers, employment, authorized, SB 2448, \*HB 281, CH. 49.
  - Teachers, certain special committee assignments, substitutes, state payment provisions, SB 2279, \*HB 287, CH. 3 EX.
  - Year, less than 180 days, unforeseen emergencies defined, state funds apportionment purposes, \*SB 2096, CH. 78 EX.
- Schools, levies limited, flat rate gross income tax imposed, school support provisions, state level property relief purposes, SB 2935.
  - Student assignment, race, creed, sex, color basis, prohibited, SB 2178.
- Social work, masters degree program, established, appropriation, SB 2534, SB 2574.
- State patrolmen retirement, surviving children, under 21, benefits, HB 453, SB 2112.
- Student exchange compact, western interstate commission for higher education, program coordination, planning provisions, Sub SB 2120.
- Students, attendance particular schools, race, creed, sex, color basis, state funds allocation not permitted, \*SB 2803(a), CH. 134 EX.
  - Disadvantaged, needy, elementary, secondary, financial assistance, provisions, \*SB 2194, CH. 81.
  - Pregnant, alternative educational programs, development provision, SB 2628.
  - Prisoner of war children, education without fees, provisions, SB 2172, \*HB 235, CH. 63.
  - School assignment, race, creed, sex, color basis, prohibited, SB 2178.
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- Teachers, certification, preparation programs, education, accreditation, standards, professional practice commission duties, SB 2786.
  - Seniority transfers, years, limitation provision, SB 2076.
  - Superintendents, nonrenewal, dismissal, notice, service, hearings, provisions revised, SB 2448.
- Teaching methods, college faculty, periodic classroom experience, SB 2159.
- Technological, higher education, clearinghouse, study, council duties, SB 2120, Sub SB 2120.



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- Traffic safety course, education account, fine, amount reduced, SB 2885.
- U.S. health, education and welfare department, proposed regulations, program reductions, withdrawal petitioned, \*HJM 21.
- Vocational, post secondary, coordination, system, establishment, study, SB 2462.  
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- Residents, less than 100 voters, issuance, use provisions, SB 2429.
- Annexations, call, petitioning, alternate methods, provisions, \*HB 564, CH. 164 EX.
- Annual, general, state-wide, provisions, \*SB 2021, CH. 4.
- Ballot measure election returns, certified written report, legislative transmittal requirement, SB 2301.
- Ballot propositions, non-statewide, campaign expenditures, limitation removed, SB 2206.
- Ballots, absentee, ill, disabled persons, request provisions, SB 2356.
- General election, format, contents, general revisions, SB 2520.
- Punchcard, recount procedures, established, SB 2780.
- Titles, concise statements posed as questions, provisions, \*SB 2353, CH. 118 EX.
- Bar association, governors, one lawyer, one vote basis, provision, SB 2826.
- Boards, judges, inspectors, opposite political party, county auditor's designation, Sub SB 2026.
- Number reduced to one, Sub. SB 2026.
- Bonds, taxing district, issuance election, voter majority provisions, revised, \*HJR 40.
- Cities, towns, districts, annual, state-wide, odd-numbered years, provisions, \*SB 2021, CH. 4.
- Clerks, election boards, voting machines, devices, use, instruction provision, SB 2498.
- Congressmen, vacancies, special, primary elections, term, date, provisions, SB 2377.
- Constitutional amendments, notice publication, additional explanatory information, HB 394, SB 2421.
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- Costs, odd-numbered years, general elections, state prorated share, payment provision, \*SB 2021, CH. 4.
- Counting centers, tallying systems, location provision revised, \*Sub HB 903, CH. 70 EX.
- County boards, additional, appointment provisions, \*HB 396, CH. 102.
- County central committees, organizational meetings, date changes, \*SB 2053, CH. 85.
- Employees, time off to vote, provisions, SB 2285.
- Fire protection districts, support, service charge imposition authorization, SB 2099, \*Sub SB 2099 VETOED.
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- Highways, condemned property, awards, set-off benefits, determination, HB 102.
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- Arrest records, employers, insurers, discriminatory use, prohibited, SB 2645.
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- Civil service, exempt provisions, additional exemptions, HB 743, \*SB 2762(a), CH. 133 EX.
- Community college, professional negotiations, members definition revised, impasse committees, certification election, provisions, \*SB 2153, CH. 205 EX. PV.
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- Defined, social security, considered same for B & O tax purposes, SB 2558.
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- Horse racing, commission, employees, families, race track related employment, compensation, financial interest prohibited, \*HB 590, CH. 216 EX. PV.
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- Labor relations, organizing, procedures, rights, unfair practices, act provisions, SB 2543.
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- Part-time, unemployment benefits increased, HB 458, SB 2221.
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- Officials, elective, contribution provisions, HB 49.
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  - Higher education, reinstatement cases, court costs, attorney fees, award provision, SB 2474.
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  - Insurance programs, general revisions, SB 2066, \*Sub SB 2066 CH. 147 EX.
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  - Vacation leave days, computation, calendar year basis, SB 2497.
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- Unpaid earnings, retail, wholesale service businesses, lien provision, SB 2640.
- Vote, time off, provisions, SB 2285.
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- Water districts, term life insurance provision authorized, SB 2362, \*Sub SB 2362, CH. 24.
- WSU, classified, public employees retirement system, membership authorized, SB 2090, \*HB 105, CH. 168 EX.

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- Arrest records, employers, insurers, discriminatory use, prohibited, SB 2645.
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  - Open public meetings, violation cases, actual cost, award provisions, SB 2149.
  - Out-of-state defendants, civil cases, provision repealed, SB 2828.
  - Reasonable amount, court determination provision, SB 2205.
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- Auto stages, for-hire vehicles, less than 25 seats, 30 day special permit, provision, Sub SB 2787.
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- Fish farms, catch fees, exempt, \*HB 628, CH. 63 EX.
- Higher education, community colleges, general revisions, SB 2171, \*HB 234, CH. 46 EX.
- Hospitals, nursing homes, labor relations, arbitrators, SB 2110.
- Jurors, increased, SB 2411.
  - Justice courts, increased, SB 2670.
- Jury demand, filing fee return, out of court settlement cases, time provisions, SB 2830.
- Land titles, registrations, filing fees increased, \*HB 128, CH. 121.
- Legislators, business fee schedules, state charges, publication, SB 2537.
- Motor vehicle operator, licenses, duplicate, fee increased, SB 2052.
  - Reinstatement, provisions, \*SB 2054, CH. 36 EX. PV.
- Pawnbrokers, interest charges, minimum fees, rates established, SB 2589, \*Sub SB 2589, CH. 91 EX.
- Secretary of state, summons service fee, nonresident corporations, increased, \*SB 2400, CH. 108.

## FEES—Continued:

- Nonresident motor vehicle operators, increased, \*SB 2257, CH. 91.
- Registered agent, increased, SB 2475.
- Secretary of state publications, printing, distribution costs recovery, charges, authorized, HB 399, \*SB 2294, CH. 85 EX.
- Sheriffs, official services, fees increased, HB 139.
- Small loan companies, license fees, liquid assets provisions, revised, SB 2897.
- State librarian, certain corporation, elections related publications, distribution, charges, authorized, \*SB 2294(a), CH. 85 EX.
- Students, college, university, services, activity, certain construction, bond payment, allocation provisions, \*Sub SB 2739, CH. 130 EX.
- Superior court, convicted defendant, liability, amount increased, \*SB 2080, CH. 16.
- Superior court clerk fees, code corrections, \*HB 308, CH. 38.
- Trucks, fleet operators, regulatory, utilities and transportation commission jurisdiction, \*SB 2440, CH. 115.
- Tractors, overlegal loads, fee schedules, revised, SB 2583, Sub SB 2583.
- Utilities, transportation, various necessary, up to \$200, commission establishment provisions, \*SB 2440, CH. 115.
- Vehicle dealers, salesmen, manufacturers, licensing, provisions, \*Sub SB 2741, CH. 132 EX.

## FELONIES:

- Alcoholic beverages, sales to minors, reduced gross misdemeanor, SB 2509.
- Credit cards, lost, stolen, counterfeited, use, felony, SB 2580.
- Damage actions, persons engaged in felony, killed, injured, barred, SB 2597.
- Hotels, restaurants, defrauding, over \$75, felony, SB 2553.
- Identification cards, lost, stolen, counterfeited, use, felony, SB 2580.

## FELONS:

- Employment, certain disqualification, restrictions, removed, \*HB 337, CH. 135.

## FERRIES:

- Hydrofoils, demonstration purposes acquisition, highway department appropriation, \*Sub SB 2328, CH. 222 EX. PV.
- Olympic Ferries, Inc., certain assets, purchase authorized, \*Sub SB 2328, CH. 222 EX. PV.

## FERTILIZER APPLICATOR RIGS:

- Highways use, vehicle license requirement, exempt, \*HB 225, CH. 17 EX.

## FIDUCIARIES:

- Securities, clearing corporation deposit, authorized, \*HB 467, CH. 99.

## FILIAL PROCEEDINGS:

- Adoptions, illegitimate children, parental rights, provisions, \*SB 2459, CH. 134.
- Support, payments, age limit extended, \*HB 47, CH. 29.

## FINANCIAL DISCLOSURE:

- Governor, appointed officials, Initiative 276 provisions, included, SB 2482.
- Lobbyists, registration, expenditure reporting, filing provisions, SB 2299.

## FINANCIAL INSTITUTIONS (see also Banks and Banking):

- Alien banks, establishment, operation, regulation provisions, SB 2674, \*HB 423, CH. 53 EX.
- Banks, trust companies, insolvent, F.D.I.C. receiver, liquidator, appointment authorized, \*HB 438, CH. 54 EX.
- Credit unions, law, general revisions, \*SB 2111, CH. 8 EX.
- Gifts, premiums, advertising, distribution, prohibited, certain exceptions, SB 2839, Sub SB 2839.

## FINANCIAL INSTITUTIONS—Continued:

- Mortgages, reserve accounts, interest payment required, SB 2929.
- Satellite branches, certain financial institutions, establishment, department stores, supermarket, authorized, HB 915(a).
- Offices, certain financial institutions, establishment, department stores, supermarkets, authorized, HB 915(a).
- Savings and loan associations, control, guaranty stock, organizing permit, administration, annual statements, investments, general revisions, \*HB 79, CH. 130.
- General revisions, \*HB 79, CH. 130.
- Title only, SB 2707, SB 2902, SB 2903.

## FINGERPRINTING:

- Real estate brokers, salesmen, applicants, identity, fingerprints, provision, \*HB 124, CH. 42 EX.

## FIREARMS (see also Weapons):

- State, patrol, licenses, sales, forms, issuance authority, SB 2148.

## FIRE EXTINGUISHERS:

- Portable, fixes systems, servicing, maintenance, standards established, SB 2298.
- Servicing, maintenance, standards, established, SB 2012.

## FIRE MARSHAL:

- Explosions, fires, investigation provisions, SB 2152.
- Fire equipment testing and licensing board, created, duties, SB 2012, SB 2298.
- Fires, statewide statistics, local jurisdictions, reporting, required, SB 2296.
- Public water supply systems, potable water, regulation, control, Sub HB 597.

## FIRE PROTECTION:

- Arson, definitions, provisions, penalties, revised, SB 2151.
- Children's flammable sleepwear, standards established, sales prohibited, SB 2557, \*Sub HB 993, CH. 211 EX.
- Districts, commissioners, compensation waiver authorized, \*SB 2074, CH. 86.
- General fund, state, local government appropriation, distribution, allocation provision, SB 2631.
- Public utility excise tax, imposition authorized, SB 2182.
- State, municipal property, adjacent, within district area, contract provision, \*HB 685, CH. 64 EX.
- Support, service charge, imposition authorized, SB 2099, \*Sub SB 2099 VETOED.
- Election provision, \*Sub SB 2099 VETOED.
- Explosions, fires, investigation provisions, SB 2152.
- Fire equipment, testing, licensing, board created, duties, SB 2298.
- Fire extinguishers, portable, fixed systems, servicing, maintenance, standards established, SB 2298.
- Servicing, maintenance, standards, established, SB 2012.
- Fire training advisory board created, duties, SB 2267.
- Fires, statewide statistics, fire marshal reporting, local jurisdictions, required, SB 2296.
- Forest fires, protection assessments, increased, \*SB 2790(a), CH. 182 EX.
- Protection assessments payment, time period extended, \*SB 2790(a), CH. 182 EX.
- Forest lands, fire prevention, natural resources department authority, rules, regulations, general revisions, \*HB 746, CH. 24 EX.
- Police, fire departments, combining prohibited, SB 2680.
- State agencies, institutions, municipal corporations, local district contract required, SB 2396.
- State, municipal property, adjacent, within district areas, fire district contract provision, \*HB 685, CH. 64 EX.
- Taxes, millage increased, SB 2142.
- Telephone charges, citizen calls, basic local area rate, charge provision, SB 2444.

**FIREMEN:**

- Collective bargaining, certain cities, class AA counties, negotiations, arbitration provisions, SB 2286, \*HB 175, CH. 59, \*2nd Sub HB 176, CH. 131.
- Killed, disabled on duty, children, free college tuition, \*HB 442, CH. 191 EX.
- Medical benefits, LEFF payments, duty incurred disability, illness, requirement, SB 2610.
- Murder, death penalty, mandatory, SB 2077.
- Pension boards, 1st class cities, mayor's duties, designated representative, appointment authorized, \*HB 460, CH. 19 EX.
- Pensions, all retirees, survivors, minimum benefits, increased to \$300, \*Sub SB 2586, CH. 181 EX.
- Police, fire departments, combining prohibited, SB 2680.
- Retirees, local systems, benefits equal to LEFF system, entitlement, SB 2586.
- Retirement, LEFF system, general revisions, SB 2266, SB 2467.
- State patrol, law enforcement officers and firefighters retirement system, transfers permitted, SB 2348.
- U of W, WSU, police and law enforcement officers and fire fighters retirement system coverage, inclusion, SB 2135.
- Volunteer, pensions increased, retirement age, years of service, benefit provisions revised, \*HB 369, CH. 170 EX.
- Workmen's compensation, participation, provisions, SB 2609.

**FIRES:**

- Burning, certain materials, dense smoke emission, obnoxious odors, prohibited, SB 2020.
- Property, real, improvements, destroyed by fire, demolished, tax liability adjustment provision, SB 2644.

**FISCAL MANAGEMENT:**

- State auditor, state agency practices, recommendations authorized, \*SB 2326 VETOED.

**FISCAL YEAR:**

- Taxing districts, end, June 30, provision, SB 2892.

**FISH AND FISHING:**

- Anadromous, stock management, Columbia river compact, provision, SB 2064, SB 2338.
- Anchovies, commercial, regulation, SB 2427.
- Blind, free licenses, provisions, \*HB 576(a), CH. 58 EX.
  - Residents, certain northwest U.S., Canada, free licenses, \*HB 576, CH. 58 EX.
- Columbia river, steelhead, Chinook salmon, gill, trammel net use, time period restriction, SB 2050.
  - Tributaries, food fish, license required, SB 2359.
- Fish farms, aquaculture use, salmon eggs, supply, time limitation removed, HB 636.
  - Catch fees, exempt, \*HB 628, CH. 63 EX.
- Fishing vessels, commercial, purchases, operation outside territorial waters, sales, use taxes, exempt, SB 2688.
- Food fish, shellfish, title only, SB 2705, SB 2712, SB 2715, \*HB 901, CH. 220 EX. PV.
- Game and game fish, title only, SB 2708, SB 2711, SB 2718.
- Herring, commercial licenses, review board created, \*SB 2918(a), CH. 173 EX. PV.
  - Net, certain waters, SB 2426.
  - Puget sound district, license required, \*SB 2918, CH. 173 EX. PV.
- Hood canal bridge, sport fishing, permitted, SB 2832.
- Indians, rights, treaty locations, state jurisdiction removed, SB 2141.
- Licenses, blind residents, certain northwestern U.S., Canada, free licenses, \*HB 576, CH. 58 EX.
  - Food fish, Columbia river, tributaries, required, SB 2359.
  - Nonresidents, aliens, daily, provisions, SB 2630.
- Salmon, commercial fishing, Juan de Fuca, Puget sound waters, gear, season dates, revisions, \*HB 901(a), CH. 220 EX. PV.

## FISH AND FISHING—Continued:

Silver, California commercial taking, length reduction change, prohibition petitioned, \*SJM 126.

Troll vessels, commercially licensed, use, regulation, SB 2495, \*HB 349 VETOED.

## FISHERIES:

Council, advisory, created, duties, \*SB 2339 VETOED.

Department, advisory council, created, duties, \*SB 2339 VETOED.

Rules, regulations, adoption, administrative procedures act compliance provision, \*SB 2340, CH. 93.

Title only, SB 2706.

Salmon eggs, fish farming, aquaculture use, supply, time limitation removed, HB 636.

## FLAMMABLE FABRICS:

Children's sleepwear, standards established, sales prohibited, SB 2557, \*Sub HB 993, CH. 211 EX.

## FLEMING, SENATOR GEORGE:

Explanation of vote, ESSB 2800, personal privilege . . . . . p. 470

Personal privilege, EHB 791 . . . . . p. 1102

Personal privilege, equal rights amendment . . . . . p. 922

Personal privilege, PI articles . . . . . p. 639

## FLOODS AND FLOOD CONTROL:

Flood control zones, permit program administration, local administration, delegation authorized, \*HB 551, CH. 75.

## FLOOR RESOLUTIONS—SENATE (see also History of Senate Floor Resolutions pages 1963 through 1978):

Adjournment sine die, House notified, \*SFR 34.

1st extraordinary session, House notified, \*SFR 144.

Alaska pipeline, construction legislation requested, \*SFR 26.

Animal trapping, study, \*SFR 51.

Barton, Clarence M., mementos, gift, Parker family thanked, \*SFR 48.

Biesen, Chester, public service, gratitude, \*SFR 44.

Blanusa, Lloyd, river high school basketball team, congratulated, \*SFR 37.

Bozarth, Horace, public service, appreciation, \*SFR 18.

Brannon, Ernest M., fisheries department, 50 years service, congratulated, \*SFR 42.

Building contractors, local regulation, study, \*SFR 54.

Cassidy, Larry, game commission appointment, congratulated, \*SFR 43.

Chandler, Rod, news work congratulated, new endeavor, success, \*SFR 66.

Columbia river, customs entry ports, closing protested, \*SFR 60.

Committees, standing, constituted, \*SFR 4.

Congress of corrections, annual convention, Seattle greetings, \*SFR 56.

Corporate conglomerate farming, study, \*SFR 85.

Eathorne, Les, East Bremerton high school basketball team, congratulated, \*SFR 49.

Elk tags, separate, issuance by subspecies, geographic area, study, \*SFR 53.

Former senators, courtesies extended, \*SFR 2.

Graffis, Roy, Oakesdale basketball team, congratulated, \*SFR 40.

Grand Coulee dam area, federal health funds, hospital reopening use requested, \*SFR 12.

Greece, independence, 252nd anniversary, \*SFR 46.

Hannula, Richard, coach, educator, commended, \*SFR 29.

Hellyer, Dr. and Mrs. D.T., Northwest Trek land donation, commended, \*SFR 17.

Herrmann, Julia, birthday, congratulated, \*SFR 30.

Hood canal, fishing seasons, methods, study, \*SFR 55.

Interim period, work completion provision, \*SFR 143.

Interim session business, execution, completion, authorized, \*SFR 33.

## FLOOR RESOLUTIONS—Continued:

- Jennings, Floyd, appreciation, \*SFR 135.  
 Johnson, Lyndon B., death, sympathy extended, \*SFR 13.  
 King, Dr. Martin Luther Jr., honored, \*SFR 8.  
 Legislative bills, daily filing time change, \*SFR 11.  
 Leonard, Major Edward, W., ex-POW, service, thanked, \*SFR 59.  
 Lincoln, Abraham, work, rededication, \*SFR 24.  
 Longview, golden anniversary, honored, \*SFR 77.  
 Pioneers, golden anniversary, honored, \*SFR 41.  
 Mahre, Philip, junior ski champion, congratulated, \*SFR 47.  
 Mason family, Kilimanjaro climb, commended, \*SFR 23.  
 Mattix, Samuel, ex-POW, missionary, service, thanked, \*SFR 58.  
 Meadowdale, Kelso high school bands, Mexican festival invitation, achievement, \*SFR 19.  
 Mission Ridge, ski patrol, commended, \*SFR 73.  
 Peace symbol, white carnations, tribute, \*SFR 14.  
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 Prisoners of war, return, admiration, \*SFR 27.  
 Railroad bridges, trestles, employee walkways, need study, \*SFR 32.  
 Ralls, Alice O'Leary, death, sympathy, \*SFR 45.  
 Salaries, allowances, weekly payment provision, \*SFR 3.  
 Second Mile, public education TV series, viewing, participation, \*SFR 50.  
 Senate officers, committees, reappointed, \*SFR 35.  
 Senate organized, House notified, \*SFR 1.  
 1st extraordinary session, House notified, \*SFR 36.  
 Snowden, Ben, Roosevelt high basketball team, championship, congratulated, \*SFR 52.  
 Spiller, John, service, appreciation, \*SFR 5.  
 Standing committees, membership, \*SFR 6.  
 State education board, function, value, study, \*SFR 21.  
 Stender, Senator John H., federal appointment, congratulated, \*SFR 38.  
 Stennis, U.S. Senator John C., speedy recovery, sympathy, \*SFR 20.  
 Telephone numbers, public agencies, emergency, 3 digit number, feasibility study, \*SFR 25.  
 Telethon, Variety Club, KIRO-TV, appreciation, \*SFR 22.  
 Thompson, Dr. R. Franklin, U.P.S. president, services, appreciation, \*SFR 31.  
 Vocational education systems, modification, study, \*SFR 71.  
 Warrior Band, Edmonds, commended, \*SFR 10.  
 Weinmeister, Arnie, promotion, congratulated, \*SFR 9.  
 Wells, Captain Kenneth, ex-POW, service, thanked, \*SFR 57.  
 Writer, Capt. Larry, ex-POW, commended, \*SFR 74.

## FOOD:

- Food salvager, licensing, regulation provisions, SB 2886.  
 Injury, possible cause, food, drugs, cosmetics, sale embargo, SB 2492.  
 Milk, fluid, local inspection, state standards, provision, SB 2823.  
 Solids, added to liquid milk, breed name requirement provision, exempt, \*HB 109, CH. 31.  
 Neighbors in need commission, created, powers, duties, Sub HB 1053.  
 Packaged, certain perishable, projected shelf life, pull date required SB 2115, \*Sub HB 1055, CH. 112 EX.  
 Poison, harmful objects, placement, crime, \*HB 75, CH. 119.  
 School lunchrooms, elderly persons, meals, use provisions, \*SB 2342, CH. 107.  
 Schools, vending machine, use, hot lunch program requirement, SB 2263.  
 Stamps, food purchases, resale, crime, Sub HB 221.  
 Tax, sales, exempted, graduated income tax imposed, state structure revised, SB 2247, \*Sub SB 2247, CH. 141 EX.



**FOOD STAMPS:**

Purchases, resale, crime, Sub HB 221.

**FOREIGN CORPORATIONS:**

Annual reports, filing, requirement, SB 2255, \*HB 331, CH. 71.

Substantial statute compliance, filing authorized, \*SB 2253, CH. 90.

Articles of incorporation, filing requirement eliminated, \*SB 2252, CH. 89.

Banks, establishment, operation, regulation provisions, SB 2674, \*HB 423, CH. 53 EX.

**FORESTS AND FORESTRY:**

Fire prevention, natural resources department authority, rules, regulations, general revisions, \*HB 746, CH. 24 EX.

Increased, \*SB 2790, CH. 182 EX.

Forest fires, protection assessments, increased, \*SB 2790, CH. 182 EX.

Protection assessments payment, time period extended, \*SB 2790(a), CH. 182 EX.

Forest land, timber tax, qualification, acreage requirement reduced, SB 2541.

Juvenile camps inmates, industrial insurance benefits, provisions, \*HB 279, CH. 68.

Reforestation lands, proceeds, county disposition, allocations, provisions, SB 2480.

Title only, SB 2811.

State, title only, SB 2735.

State forests, trust land, 160 acres, Mason county, reconveyance, SB 2784, \*Sub SB 2784, CH. 26.

Timber, forest lands, title only, SB 2812.

**FORMS MANAGEMENT:**

Center, general administration department, established, duties, \*SB 2089, CH. 13.

State records, film, photographic reproduction materials, forms committee approval provision, \*SB 2360, CH. 95 PV.

**FRANCHISES:**

Sport, athletic, private nongovernmental, ad valorem tax exemption, HB 1006, SB 2818.

Trading stamps, franchise fee definition, excluded, \*HB 782(a), CH. 33 EX.

Franchise investment act, definition provision, excluded, SB 2608.

**FRANK, HERB:**

Central Washington state college, trustee, \*\*GA 22 . . . . . pp. 74, 313, 550

**FRATERNAL ORGANIZATIONS:**

Insurance, certificates in force, valuation, minimum standard, provisions, SB 2648, \*HB 758, CH. 79.

**FRAUDS AND SWINDLES:**

Elections, primary, errors, wrongful acts, elector affidavit, court filing provision, \*HB 698, CH. 165 EX.

**FREE CONFERENCES (see Committees, also Conferences (Legislative):****FREEWAYS (see Highways):****FRENCH, GEORGE A.:**

Seattle community college district #6, trustee, \*\*GA 35 . . . . . pp. 76, 192, 238

**FRUIT:**

Commission, district #2, boundaries, changed, \*HB 238, CH. 11.

**FUEL:**

Aircraft, air travel clubs, use, excise tax exempt, SB 2466.

## FUEL—Continued:

- Gasoline, dealers, distributors, retailers, contracts, leases, franchises, regulations, SB 2458, Sub SB 2458.
- Motor vehicle, excise tax, cities, towns, allocation, portion, street purposes authorized, \*HB 444, CH. 160 EX.  
Increased, SB 2233.  
Allocation, community transportation facility development purposes, SB 2639.
- Motor vehicle, excise tax, Puget Sound reserve account, allocations, date provisions revised, \*SB 2552, CH. 124 EX.  
Reduced, sales tax authorized, SB 2807.
- Responsibilities, powers, director transfer provisions, \*HB 71, CH. 96.
- Motor vehicle, special fuel, bonded dealers, users, trip permits, payments, provisions, \*Sub HB 64, CH. 156 EX.  
Watercraft use, refunds eliminated, HB 87.
- Snowmobile, excise tax, allocation, expenditure provision, \*SB 2621, CH. 128 EX.
- Special, bonded dealers, users, trip permits, payments, provisions, \*Sub HB 64, CH. 156 EX.
- Tax, special fuel, motor vehicle, double amendments, code corrections, \*HB 312, CH. 42.
- Trucks, restricted load roads, use, reduced speeds, provisions, SB 2410.

## FUNDS:

- Building authority bond, redemption fund created, \*HB 195, CH. 9.  
Construction account, created, \*HB 195, CH. 9.
- Charitable, solicitation, newspaper, radio, TV, professional fund raiser registration not required, \*Sub HB 722, CH. 66 EX.
- Charitable organizations, solicitation, regulation, \*SB 2525, CH. 13 EX.
- Coastal protection, oil storage tax, deposit provision, SB 2403, Sub SB 2403.
- Counties, treasurer, auditor jurisdiction, salary fund purposes, disbursement provision, \*HB 36, CH. 38 EX.
- County budgets, unanticipated funds, supplemental appropriation, county commissioners authorization, \*HB 130, CH. 97.
- Debris removal account, log patrol revolving fund, created, \*HB 134, CH. 136.
- Expo 74, bond redemption 1973-A, created, \*SB 2309, CH. 116 EX.
- Federal, other sources, unanticipated, expenditure, reporting provisions, revised, SB 2760.  
Unanticipated, expenditures, requiring governor's approval, report to legislature required, \*SB 2093, CH. 144.
- Federal revenue sharing trust, created, \*SB 2672, CH. 129 EX.
- Game, license plates, personalized, fees, fund allocation, SB 2083, \*HB 171 VETOED  
House sustained.  
Referendum provisions, \*HB 1108, CH. 200 EX. Referendum Bill No. 33.
- General, local government appropriation, allocation, distribution provisions, SB 2631.  
Water rights fees, allocation, SB 2108.
- Grade crossings, railroad, protective fund, utilities and transportation commission, activities administration, costs recovery, provision, \*SB 2440, CH. 115.
- Higher education bond redemption fund of 1973, created, \*SB 2805, CH. 135 EX.
- Horse racing commission revolving fund, established, disbursement provisions revised, \*HB 590, CH. 216 EX. PV.
- Institutional endowments, uniform management system, provisions, \*SB 2081, CH. 17.
- Insurance, motor vehicle accident, established, SB 2230.
- Legal services revolving, attorney general, actual cost allocation provision, SB 2329.
- Lottery, state, treasurer's office, established, SB 2004, SB 2004(a).
- Motor vehicle, expenditure, highway purposes, provision, SB 2551.
- Public, deposit definition expanded, \*HB 397(a), CH. 126.  
Investments, public depositories, time deposits, competitive bidding required, SB 2303, \*HB 397, CH. 126.

FUNDS—Continued:

- Time deposits, interest, maximum rate established, SB 2103.
- U.S. treasury six month bill auction basis, HB 1047.
- Undisbursed, county treasurers, investment, certain U.S. securities, authorized, \*SB 2098, CH. 140 EX.
- Public depositories, city, town, county, superior court funds, deposits, designation provisions, \*HB 397(a), CH. 126.
- Public transportation, establishment, study, SB 2428.
- Public works contracts, retained percentage, trust account deposit, interest payment, provision, SB 2667.
- Puget Sound reserve account, motor vehicle fuel tax, allocations, date provisions revised, \*SB 2552, CH. 124 EX.
- Railroad grade crossings, protective fund, cost apportionment formula revised, \*SB 2075, CH. 77 EX.
- School, college, university, certain, surplus, Asian development bank, securities investment authorized, SB 2510.
- State funds, apportionment, less than 180 day year, provision, \*SB 2096, CH. 78 EX.
- Secretary of state revolving, abolished, state librarian's fund created, \*SB 2294(a), CH. 85 EX.
- State accounts, funds, certain, transfer to basic general fund, \*HB 595, CH. 59 EX.
  - Agencies, legislative budget committee, emergencies, allocation, expenditure, authority provisions, SB 2637.
  - Building bond redemption, created, SB 2446, \*HB 704, CH. 217 EX. PV.
  - Finance committee, investments, classes of securities, authority provisions, \*HB 376, CH. 103 EX.
  - Librarian's revolving, created, secretary of state's fund abolished, \*SB 2294(a), CH. 85 EX.
  - Treasurer, service fund, certain funds balance interest, crediting provision, SB 2018, \*HB 21, CH. 27.
- State, school activities programs, support, included, SB 2641.
  - Treasury surplus, investment, time deposits, public depositories, procedures, SB 2162, \*HB 217, CH. 123.
- Student bodies, schools, activities, management, control provision, \*HB 477, CH. 52.
- Student loan reserve, created, SB 2418.
- Treasurer's service fund, created, SB 2018, \*HB 21, CH. 27.
  - Trust, created, non-treasury funds, provisions, \*HB 84, CH. 15 EX.
- Trust, certain life insurance policies, investment authorized, \*SB 2515, CH. 89 EX.
- Urban arterial trust account, preliminary proposals, construction projects, authorization provision, \*SB 2590, CH. 126 EX.

FUNERALS:

- Cemetery prearrangement, burial services, merchandise purchases, provisions, \*HB 821, CH. 68 EX.

FURLOUGHES (see also Leaves and Sabbaticals):

- Correctional institution inmates, suspensions, revocations proceedings, administrative procedures act provisions, non-applicable, SB 2229.
- Prisoners, damages caused, claims against state permitted, SB 2126.
- Granting, standards, \*SB 2125, CH. 20.

FURMAN, JAMES:

- Western interstate commission for higher education, member \*\*GA 14  
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GAMBLING:

- Bingo, raffles, commission created, comprehensive regulations, SB 2145.
- Central Washington bazaar, established, SB 2797.

**GAMBLING—Continued:**

- Commission, created, powers, duties, \*Sub HB 711, CH. 218 EX. PV.
- Communications, facilities use, public utilities, reporting requirement, SB 2031.
- Comprehensive provisions, Sub SB 2145, \*Sub HB 711, CH. 218 EX. PV.
  - Certain categories authorized, \*Sub HB 711, CH. 218 EX. PV.
- Lotteries, valuable consideration, promoter benefit purposes, defined, SB 2447.
- Lottery, definition, broadcast advertising, federal code compliance authorized, SB 2219.
  - State, operation, establishment, SB 2004, SB 2004(a).

**GAME:**

- Animals, private zoos, imports, possession authorized, SB 2819.
- Deer, elk, hunting season, opening day, Saturday, SB 2661.
- Department, Silver lake weed control study, appropriation, SB 2086.
  - Title only, SB 2710.
- Elk tags, separate, by subspecies, geographic area, issuance, SB 2548.
- Fund, wildlife resources preservation program, appropriation, SB 2083, \*HB 171 VETOED—House sustained.
  - Referendum provisions, \*HB 1108, CH. 200 EX. Referendum Bill No. 33.
- Game and game fish, title only, SB 2708, SB 2711, SB 2718.
- License plates, personalized, fees, fund allocation, SB 2083, \*HB 171 VETOED—House sustained.
  - Referendum provisions, \*HB 1108, CH. 200 EX., Referendum Bill No. 33.
- Licenses, persons approaching 70 years of age, free license issuance, SB 2468.
- Wildlife, animals, certain unlawful killing, hunting license loss provision, SB 2006.

**GAME FISH (see Fish and Fishing):****GARCIA, RAYMOND:**

- Central Washington state college, trustee, \*\*GA 21 . . . . . pp. 74, 272, 333-334

**GAS (Natural, Manufactured, Liquid Petroleum):**

- Natural, motor vehicles special fuel excise tax, reduced, SB 2807.
- Pipeline facilities, conveyances, owner, operator liability, established, SB 2121.

**GASOLINE:**

- Dealers, distributors, retailers, contracts, leases, franchises, regulations, SB 2458, Sub SB 2458.
- Gasoline dealers act, contracts, leases, franchises, regulations, SB 2458, Sub SB 2458.
- Motor vehicle, excise tax increased, SB 2233.
  - Special, bonded fuel dealers, users, trip permits, payments, provisions, \*Sub HB 64, CH. 156 EX.
- Storage, excise tax, pollution control use, provisions, SB 2403, Sub SB 2403.

**G.E.D. CERTIFICATES:**

- Community college students, pursuing high school diploma, free tuition, SB 2180.

**GENERAL ADMINISTRATION DEPARTMENT:**

- Appropriation, office buildings, facilities, construction, remodeling, bond issuance authorized, SB 2446, \*HB 704, CH. 217 EX. PV.
- Central stores, services, advance payment, procedure provisions, \*SB 2109, CH. 104.
- Forms management center, state-wide program established, duties, \*SB 2089, CH. 13.
- Microfilm files, equipment, state agency purchase, printing and duplicating approval, provisions, \*SB 2079, CH. 12.
- Purchasing appeals board created, duties, SB 2215.
  - Nonrestrictive specifications, lowest responsible bidder, provisions revised, SB 2201.
- Recycled paper, paper products, state purchase, use, requirement, SB 2658.
- State agencies, operating, maintenance costs, billing intervals revised, \*SB 2220, CH. 82 EX.

GENERAL ADMINISTRATION DEPARTMENT—Continued:

State records, film, photographic reproduction materials, forms committee approval provision, \*SB 2360, CH. 95 PV.

GEOGRAPHIC NAMES:

Board created, duties, \*SB 2504, CH. 178 EX.

GEROLD, CHARLES:

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## HAMMER, MELVIN G.:

Wenatchee community college district #15, trustee, \*\*GA 50 . . . pp. 80, 195, 242-243

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## HANSON, PAUL B.:

Western Washington state college, trustee, \*\*GA 26 . . . . . pp. 73, 272, 334

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- Clark community college district #14, trustee, \*\*GA 48 . . . . . pp. 77, 194, 242

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- State, federal, observed on different dates, state holiday only paid, HB 356(a), VETOED.
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## HOLMAN, FRANCIS:

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## HOOD CANAL:

- Bridge, sport fishing, permitted, SB 2832.

## HORSES:

- Racing, commission, members' own horses, racing prohibited, SB 2846.
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- Commission created, rates, costs, financial matters, review, duties, SB 2113, \*Sub SB 2113, CH. 5 EX.
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- Health planning, comprehensive program, residential care and treatment facilities, inclusion, SB 2117.
- Labor relations, arbitrators, fees, SB 2110.
  - Employees, bargaining representative, practices, arbitration, provisions, HB 178.
- Laundry service, nonprofit hospitals, sales tax exempt, \*SB 2841, CH. 145 EX.
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- Public health, Seattle, funding, remain open, petitioned, SJM 118.
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- State, mentally ill, commitment, care, treatment, legal procedures, civil proceedings, provisions, SB 2336, \*Sub SB 2336, CH. 142 EX.
- Tuberculosis treatment facilities, programs, support levy provisions, \*Sub HB 340, CH. 213 EX. PV.

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- Convention center facilities, funding, lodging excise tax, use authorized, SB 2494.
- Defrauding, over \$75, felony, SB 2553.

**HOUSE REPAIRS:**

- Contractors, out-of-state, untrue work estimates, false pretenses, consumer protection act violations, crime, SB 2393.

**HOUSE TRAILERS:**

- Vacation vehicles, summer use only, license provision, SB 2236.

**HOUSING:**

- Colleges, universities, married students, construction, 1973-75 biennium, expenditure prohibited, SB 2105, \*Sub SB 2105, CH. 114 EX.
- Community colleges, student dormitories, capital improvement funds, use prohibited, SB 2105, \*Sub SB 2105, CH. 114 EX.
- Dwellings, dangerous buildings, cities, delinquent demolition assessment, interest rate revised, \*SB 2452, CH. 144 EX.
- Insurance contract forms, uniform minimum standards, authorized, SB 2526.
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- Public authorities, unemployment compensation, employees, SB 2668.
- Rental deposits, handling, return, provisions, SB 2195.
- Single family residences, governmental actions affecting, detailed environmental impact statements, procedures, requirements exempt, \*Sub SB 2531, CH. 179 EX.
- Title only, SB 2753.
- Veterans, disabled, wheelchair, construction materials, sales tax exempt, SB 2070.

## HOUSING AUTHORITY:

- Group homes, halfway houses, for developmentally disabled persons, city operation authorized, SB 2175, Sub SB 2175, 2nd Sub SB 2175.
- For released institutionalized juveniles, developmentally disabled, 1st class counties, operation authorized, \*SB 2256(a), CH. 198 EX. PV.

## HOUSING COOPERATIVES:

- Property tax, retired persons, unit owners, exemption provision, SB 2409.

## HUMAN RESOURCES:

- Programs, services, coordinated, comprehensive board planning provisions, SB 2611.

## HUMAN RIGHTS COMMISSION:

- Civil rights, constitutional guarantees, denials, complaints, investigation provision, SB 2665.

## HUMANE SOCIETIES:

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## HUNT, GERALD A.:

- Peninsula community college district #1, trustee, \*\*GA 27 . . . . . pp. 73, 191, 236

## HUNTING:

- Aged persons, approaching 70 years, free game license, issuance, SB 2468.
- Deer, elk, hunting season, opening day, Saturday, SB 2661.
- Elk tabs, separate, by subspecies, geographic area, issuance, SB 2548.
- Indians, rights, treaty locations, state jurisdiction removed, SB 2141.
- Licenses, persons approaching 70 years of age, free game license, issuance, SB 2468.

## HUNTINGTON, STEVEN J.:

- Walla Walla community college district #20, trustee, \*\*GA 57 . . . . . pp. 82, 196, 244-245

## HUNTLEY, ELMER:

- Utilities and transportation commission, member, \*\*GA 72 . . . . . pp. 200-201

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- Department, asbestos use, construction, manufacturing, standards establishment authorized, \*HB 89, CH. 30.
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- Director, industrial insurance, self-insurers, minimum qualifications, regulation, provisions, Sub HB 1049
- Electrical construction, transmission, distribution facilities, industry safety requirements, SB 2653.
- Electricians, journeymen, licensing provisions, HB 294, \*SB 2183, CH. 206 EX. PV.
- Elevators, lifts, hoists, inspection, regulation, provisions, SB 2635.
- Employment standards supervisor, women in industry supervisor, name changed, HB 962, SB 2463.
- Factory built commercial structures, regulation, \*HB 668, CH. 22 EX.
- Industrial insurance appeals, certain board defense, attorney general, provisions, SB 2638.
- Industrial insurance, code corrections, \*HB 310, CH. 40.
  - Vision claims, applications, time limitation provision, SB 2585, \*HB 648, CH. 192 EX.
- Industrial safety and health act, department administration, \*SB 2386, CH. 80.
- Industrial welfare, equal provisions, all individuals, HB 962, SB 2463.
- Juvenile forest camps, inmates, industrial insurance benefits, provided, \*HB 279, CH. 68.
- Minimum wage, increased, HB 785.
- Minimum wages, rules, changes, public hearings, administrative procedure act, provisions adopted, SB 2893.
- Minors, parental employ, coverage exempt, \*HB 332, CH. 124.
  - Family farm, industrial insurance coverage exempt, \*HB 332(a), CH. 124.
- Plumbers advisory board, created, \*SB 2101, CH. 175 EX.
- Plumbers, licensing, journeymen, provisions, \*SB 2101, CH. 175 EX.
- Public works, contractors, suspected wage violations, county notification procedure, \*HB 98, CH. 120.
  - Wage provisions violations, civil penalty, lien establishment, provisions, \*HB 98(a) CH. 120.
- Railroad employees, safety standards, safety division jurisdiction, included, SB 2607.
- Safety division, name change, industrial safety and health division, \*HB 422, CH. 52 EX.
- Safety glass, use, specifications, regulations, SB 2297, \*HB 137, CH. 2 EX.
- Workmen's compensation advisory committee, membership composition changed, SB 2649.
- Workmen's compensation, appeals, qualified lay persons, representation authorized, SB 2129.

## LABOR AND INDUSTRIES--Continued:

- Benefits, compensation, current schedule basis, SB 2202.
- State-wide wage basis, adjustment provision, SB 2325.
- Surviving spouse, totally disabled workmen, state average monthly wage basis, additional provisions, \*SB 2327, CH. 147.
- Claims, attorney fees, schedule, setting, provisions, SB 2130.
- Law enforcement officers, firefighters, participation, provision, SB 2609.
- Medical disability, testimony evaluation, national guidelines publications, use provision, SB 2185, Sub SB 2185.
- Occupational disease, surviving spouse, disabled workers, benefit provisions, SB 2691.

## LAKE WASHINGTON:

- Bridges, I-90, construction permit, local government issuance provision, SB 2657(a).

## LAKES:

- Docks, pleasure craft use, construction, single family residence property, permit not required, SB 2823.
- Ground waters, defined, water rights purposes, \*SB 2415, CH. 94.

## LAND (see also Public Lands):

- Conservation commission, established, duties, soil and water conservation committee abolished, \*Sub HB 391, CH. 184 EX.
- Forest, fire prevention, natural resources department authority, rules, regulations, general revisions, \*HB 746, CH. 24 EX.
- Land development act, enacted, \*SB 2268, CH. 12 EX.
- Land sales, pertinent information, disclosure requirements, \*SB 2268, CH. 12 EX.
- Open space, transferred to churches, back taxes, interest, exempt, SB 2269.
- Planning, comprehensive, portions of counties, authorized, \*HB 827, CH. 172 EX.
- Public, exchange, commercial recreational leasing potential, provision, \*HB 389, CH. 50 EX.
- Reclamation, tax levy authorization, repealed, SB 2107, \*HB 69, CH. 40 EX.
- Reforestation, proceeds, county disposition, allocation, provisions, SB 2480.
- State planning commission, dissolution date extended, \*HB 957, CH. 72 EX.
- Surveys, monumenting, standards, procedures, recording, provisions, \*HB 284, CH. 50.
- Titles, registration, filing fees increased, \*HB 128, CH. 121.
- Use, regulation, planning, state, local authority, provisions, HB 791.

## LAND SALES DEVELOPMENT ACT:

- Enacted, \*SB 2268, CH. 12 EX.

## LANDLORDS AND TENANTS:

- Rental, deposits, handling, return, provisions, SB 2195.
- Residential landlord-tenant act, SB 2226, SB 2368, SB 2493, \*Sub SB 2226, CH. 207 EX. PV.
- Tenants, rental contract, non-payment, no forwarding address, crime, SB 2881.

## LAUGHBON HIGH SCHOOL:

- Accreditation, education board requested, SCR 112.

## LAUNDRIES:

- Hospitals, nonprofit, laundry service, sales tax exempt, \*SB 2841, CH. 145 EX.

## LAW ENFORCEMENT OFFICERS:

- Accidents, motor vehicle, citation issuance, probable ground basis, SB 2058.
- Collective bargaining, certain uniformed personnel, negotiations, arbitration provision, SB 2286, \*2nd Sub HB 176, CH. 131.
- Colleges, universities, police force, minimum standards, training requirements, SB 2174.

**LAW ENFORCEMENT OFFICERS—Continued:**

- Community colleges, police force, established, powers, SB 2184.
- Criminal justice training commission, created, duties, SB 2132.
- Killed, disabled on duty, children, free tuition, \*HB 442, CH. 191 EX.
  
- Medical benefits, LEFF payments, duty incurred disability, illness, requirement, SB 2610.
- Motor vehicles operators, failure to stop for police, crime, SB 2277.
- Murder, death penalty, mandatory, SB 2077.
- Police, fire departments, combining prohibited, SB 2680.
- Police chiefs, cities over 500,000, out-of-state service, retirement system, credit provisions, SB 2457.
- Retirement system, general revisions, SB 2266, SB 2467.
- Sheriffs, election, nonpartisan basis, provisions, SB 2249.
- State patrol, law enforcement officers and firefighters retirement system, transfers permitted, SB 2348.
- Special deputies, state patrol employees appointment permitted, \*SB 2146, CH. 80 EX.
- Training, municipal, state aid, specific need basis, provision, SB 2514.
- Training commission, membership increased provisions revised, SB 2514.
- U of W, WSU, police and fire fighters retirement system coverage, inclusion, SB 2135.
- Workmen's compensation, participation, provisions, SB 2609.

**LAW LIBRARIES (see Libraries):****LAW PRACTICE:**

- Attorney general, assistants, private practice, limitation provision, \*HB 321, CH. 43.

**LAW SCHOOLS:**

- University of Puget Sound, state session laws, journal publication, distribution provision, \*HB 153, CH. 33.

**LAWYERS (see Attorneys):****LEASEHOLD:**

- Agricultural fairs, leased property, tax exempt, \*SB 2559(a), CH. 117.
- Long term leases, other governmental agency property authorized, \*SB 2559, CH. 117.
- Ecological systems, conservation use, tax exempt, \*SB 2038, CH. 112.

**LEASES:**

- Agricultural fairs, leased property, tax exempt, \*SB 2559(a), CH. 117.
- Long term leases, other governmental agency property authorized, \*SB 2559, CH. 117.
- Estates, in lieu excise tax, levy provisions, \*Sub HB 52, CH. 187 EX.
- Open public meetings, real estate leases, disposition matters, executive sessions authorized, SB 2212.
- Parking, off-street facilities, city operation, minimum fees, provisions, SB 2423.
- Port district, project rentals, guarantee insurance, authorized, \*SB 2179, CH. 87.
- Port district property, rent security requirements, \*SB 2179, CH. 87.
- Public land exchange, commercial recreational leasing potential, provisions, \*HB 389, CH. 50 EX.
- Public utilities, municipal, surplus property, provision, \*SB 2835, CH. 95 EX.
- Residential landlord-tenant act, SB 2226, SB 2368, SB 2493, \*Sub SB 2226, CH. 207 EX. PV.
- State school lands, municipal parks use, open space registrations, lease costs, provisions repealed, \*HB 155, CH. 57.

**LEAVES AND SABBATICALS:**

School, unused sick leave, terminated, retired, payment authorized, SB 2218.

**LEGAL AGE:**

Alcoholic beverages, consumption, purchase, spouse age 18-21, accompanied by spouse over 21, permitted, SB 2308.

Use, lowered, SB 2216, SB 2395, \*HB 240, CH. 100.

Discrimination, credit, insurance transactions, prohibited, SB 2422, \*HB 404, CH. 141.

Eighteen year olds, full legal rights, responsibilities, SB 2395.

**LEGAL NOTICES:**

Counties, newspaper printing, maximum rates established, \*SB 2312, CH. 28 EX.

**LEGAL SERVICES:**

Attorney general, state agencies, actual cost allocation provisions, SB 2329.

Counties, all, operation authorized, \*HB 847, CH. 69 EX.

Attorneys, service, contracting, certain purposes, authorized, SB 2280, SB 2306.

Prepaid, group, nonprofit corporation, bar association establishment, authorized, SB 2405.

Formation authorized, SB 2041, SB 2405, SB 2560.

Systems authorized, SB 2041.

**LEGISLATIVE AUDITORS:**

Legislative budget committee appointment authorized, duties, SB 2345.

**LEGISLATIVE BILLS:**

Consideration, schedule established, SB 2763.

Free conference report, Eng SB 2306, HCR 54.

Free conference report HCR 53, \*SB 2803(a), CH. 134 EX.

Status retention, subsequent sessions, provisions, Sub SJR 105(a).

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43rd legislature, regular session, retransmitted, retained by house of origin, \*SCR 118.

**LEGISLATIVE BUDGET COMMITTEE:**

Emergencies, state agency funds, allocation, expenditure, authority, provisions, SB 2637.

Federal funds, unanticipated, expenditure, requiring governor's approval, report to legislature required, \*SB 2093, CH. 144.

Hearings, executive budget, members attendance authorized, SB 2517.

Legislative auditor, appointment authorized, duties, SB 2345.

Membership, respective ways and means committee chairmen, vice-chairmen, appointment, SB 2761.

Performance audits, program goals, objectives, authority, \*Sub HB 174, CH. 197 EX.

Public pension commission, duties transferred, SB 2913.

State budgets, detailed estimates, transmittal, provisions, SB 2616, SB 2633, \*HB 324, CH. 100 EX.

Teachers' retirement, public employees' systems, merger study completion, appropriation, \*Sub HB 497, CH. 127.

**LEGISLATIVE DISTRICTS:**

Absentee ballots, application lists, public inspection, copies, availability provisions, \*HB 617, CH. 61 EX.

Boundaries, certain, inequities, minor adjustments, provisions, SB 2366(a).

**LEGISLATORS (see Individual Member):**

Deceased, memorial services, \*HCR 14.

Federal, financial statement, annual filing required, SB 2261.

Pensions, calculation, time services, rendered basis, SB 2376.

Per diem, interim period official business, increased, \*Sub HB 174(a), CH. 197 EX.

## LEGISLATORS—Continued:

- Salaries, increased, \*Sub SB 2854, CH. 137 EX. PV.
- State contracts, fee schedules, lobbyist expense payments, net worth, disclosure provisions, SB 2537.
- State employees, requesting information, providing authorized, SB 2231.

## LEGISLATURE:

- Adjournment sine die, notification to governor, \*SCR 119.
- Adjournment sine die, 1st extraordinary session, April 7, 1973 \*SCR 125(a).
- Adjournment sine die, 1st extraordinary session, extended to April 15, 1973 \*SCR 136.
- Adjournment sine die, 1st extraordinary session, extended to April 16, 1973 \*SCR 137.
- Adjournment sine die, 1st extraordinary session, notification to governor, \*HCR 52.
- Administrative rule making power, state agencies, conferring, statutes, construction provision, SB 2370.
- Annual sessions, Sub SJR 105(a).
  - 60/45 days, consideration of bills schedule established, SB 2763.
  - 90/60 days, extra sessions, 30 days, Sub SJR 105(a).
  - 90/60 days, interim regular sessions, SB 2027, Sub SJR 105.
- Auditor, legislative, appointment authorized, duties, SB 2345.
- Ballot measure election returns, certified written report, legislative transmittal requirement, SB 2301.
- Bills, carry over, subsequent sessions, HJR 6.
  - Interim period filing, committee authorization provision, \*SCR 125(a).
- Bills reintroduced; rules adopted, \*SCR 120.
  - Status retention, subsequent session, provisions, Sub SJR 105(a).
  - 43rd legislature, regular session, retransmitted, retained by house of origin, \*SCR 118.
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- Budget board, created, duties, SB 2604.
- Budget committee, membership, respective ways and means committee chairmen, vice-chairmen, appointment, SB 2761.
- Committees, special interim, established, powers, duties, \*SCR 134.
  - Funding provision, \*SCR 135.
  - Standing, certain other committees, commissions continued, operating provisions, \*SCR 125(a).
  - Transportation and utilities, studies, various related subjects, appropriation, \*Sub SB 2748, CH. 210 EX. PV.
- Crime intelligence advisory board, created, duties, \*Sub SB 2717, CH. 202 EX.
- Education, joint committee, organizational change, provisions, SB 2593.
- Federal funds, unanticipated, expenditure, requiring governor's approval, report to legislature required, \*SB 2093, CH. 144.
- Free conference, \*Eng Sub SB 2113 report, CH. 5 EX.
- Governors' budget, state, submit to legislature, 2nd Monday in December, provisions, SB 2616, SB 2633, \*HB 324, CH. 100 EX.
- Gubernatorial appointments, status, adjournment sine die, 43rd regular session, retained, \*SCR 118.
  - Unconfirmed by senate, earliest legislative session, considered rejected, SB 2625.
- Hearings, public, corresponding committee of other house, joint hearing, SCR 125(a).
- Highways, legislative transportation committee, joint committee on highways, name changed, SB 2136.
- Initiative measure 276, repealed, SB 2299.
- Initiatives, petition proposals, review, report, \*HB 163, CH. 122.
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- Joint rules, 1st extraordinary session, general amendments, additional rules, adopted, \*SCR 125(a).
- Joint session, Apollo 17 astronauts, report, \*HCR 46.
- David Barrett, B.C. premier, address, \*HCR 3.
- Governor's budget message, \*HCR 2.
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- Memorial services, deceased members, \*HCR 14.
- State officers, elective, vote canvass, oath administration, \*HCR 2.
- Viet Nam returning prisoner, bonus presentation, \*HCR 42.
- Judiciary, joint, permanent committee created, duties, SB 2606.
- Legislators, state contracts, fee schedules, lobbyist expense payment, net worth, disclosure provisions, SB 2537.
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- Natural resources joint committee created, powers, duties, SB 2599.
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- Processes, title only, SB 2764.
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- Redistricting, title only, SB 2366.
- Rules, joint, amended, adopted, \*HCR 10.
- Special session, 1st extraordinary, organized, notification to governor, \*HCR 32.
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- Transportation, state agencies, recommended budgets, gubernatorial, legislative presentation requirement, \*SB 2311, CH. 201 EX.
- Trucks, tractors, overlegal loads, fee schedule, revised, SB 2583, Sub SB 2583.

## LEVIES:

- Excess, real property, regular levy restoration, base year formula calculation, SB 2451, \*HB 736, CH. 67 EX.
- Retired senior citizens, under \$6,000 income, exemption, SB 2002.
- School districts relief, state operating budget appropriation, \*Sub SB 2854, CH. 137 EX. PV.
- Special election, voter majority provisions, revised, SB 2065, SB 2102, \*HB 55, CH. 3.
- Port districts, establishment, starting costs, 1 mill levy, 2 year limitation provisions, SB 2917.
- Property, aggregate levies, 1% of fair value, limitation, port, public utilities districts excepted, \*Sub HB 1060, CH. 194 EX.
- Limitation provisions, \*Sub HB 1060, CH. 194 EX.
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- Reduction, sales tax extended, certain businesses, services, addition revenue, application, SB 2920.
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 Animal technician, veterinary, issuance authorized, HB 385.  
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- Dentists, foreign school graduates, certain, state examination, eligibility, SB 2274.
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- Electricians, journeymen, regulations, provisions, HB 294, \*SB 2183, CH. 206 EX. PV.
- Elk tags, separate, by subspecies, geographic area, issuance, SB 2548.
- Employment agencies, definitions, fee charges, general revisions, SB 2454, Sub SB 2454.
- Felons, certain disqualifications, restrictions, removed, \*HB 337, CH. 135.
- Employment, certain disqualifications, restrictions, removed, \*HB 337, CH. 135.
- Firearms, forms, sales, state patrol issuance authority, SB 2148.
- Fishing, blind persons, free, \*HB 576(a), CH. 58 EX.
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- Nonresidents, aliens, daily, provision, SB 2630.
- Troll vessels, commercially licensed, use, regulation, SB 2495, \*HB 349 VETOED.
- Food salvager, regulations, provisions, SB 2886.
- Game, aged persons, approaching 70 years, free, issuance provision, SB 2468.
- Hearing aid dispensers, provisions, SB 2059, Sub SB 2059, \*Sub HB 674, CH. 106 EX.
- Herring, commercial fishing, license application review board created, duties, \*SB 2918, CH. 173 EX. PV.
- Puget sound district, required, \*SB 2918, CH. 173 EX. PV.
- Hitchhiking, issuance, provisions, SB 2437.
- Hunting, wildlife animals, certain, unlawful killing, loss provision, SB 2006.
- Insurance agents, brokers, revocations, nonrenewals, hearing appeal, any superior court, SB 2523, \*HB 721, CH. 107 EX.
- Liquor, class H, fees, alcohol, drug addiction, university liquor revolving funds, use provision, SB 2438.
- Massage, practice, required, SB 2473, Sub SB 2473.
- Medicine, practice, regulations, provisions revised, SB 2379.
- Motor vehicle manufacturers, distributors, wholesalers, regulation, provisions, \*Sub SB 2741, CH. 132 EX.
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- Duplicate, fee increased, SB 2052.
- Intoxicated, temporary suspension, arresting officer, authority, SB 2364.
- Test refusal, guilty plea, license retention provision, SB 2488.
- Occupational license request, filing provision, SB 2781.
- Mandatory suspension stay, occupational license petition period, SB 2344.
- Nonresident, secretary of state summons service fee increased, \*SB 2257, CH. 91.
- Occupational, petition, issuance provisions, SB 2013, \*SB 2055, CH. 5.
- Physical ability investigation, temporary permit authorized, SB 2207.
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- Traffic law violations, conviction definition provisions, deferred sentences, suspended penalty, excluded, SB 2782.
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- Violations, federal installations, state report provisions, SB 2199, SB 2622.



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- Motor vehicles, registration, staggered renewal periods, provision, SB 2530.
- Naturopaths, practice, regulation, provisions, SB 2186, Sub SB 2186.
- Nurses, registered, practice, general provisions, \*SB 2213, CH. 133 PV.
- Physicians, Canadian, social and health services department employment, provisions,  
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- Reciprocity, title only, SB 2907.
- Pilots, harbor, training courses, physical examinations, license standards, revisions, SB  
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- Plates, personalized, issuance authorized, fees, game fund allocation, SB 2083, \*HB 171  
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- Razor clams, diggers', required, SB 2390.
- Real estate, brokers, salesmen, applicants, identity, fingerprints, provision, \*HB 124, CH.  
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- Small loan companies, license fees, liquid assets provisions, revised, SB 2897.
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- Vacation vehicles, summer use only, provision, SB 2236.
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- Water rights, public, industrial, fees, general fund allocation, SB 2108.
- Water well construction operators, qualifications, experience requirement, provisions,  
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- Construction, loan, mortgages, mechanics', materialmen's claims, priority, procedures  
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- Mechanics', materialmen's, interim construction financing, priorities, preference  
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- Public assistance recipients, net time loss compensation, workmen's compensation,  
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- Public works, construction delays, various causes, contractor's costs, payment,  
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- Retired persons, real property tax, residences, payment deferral, lien provisions, SB  
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- Sewer districts, assessments, charges, corrections, modifications, provisions, SB 2237.
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Liquor vendors, civil service exempt, collective bargaining unit, provision, SB 2716.

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Retirees, receiving over \$400 monthly, employment prohibited, SB 2600.

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**LIQUOR DISTILLERIES:**

Representatives, accredited, goodwill activities, order solicitations, permitted, SB 2511.

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Industrial development corporations, member institutions, loan limit increased, \*SB 2571, CH. 90 EX.

Insurance companies, investments, loans, subsidiary corporations, corporate common stocks, limitation exceptions, \*HB 652, CH. 151.

Interfund, state agencies, state treasurer deposit interest transfers, state auditor notice requirement removed, \*SB 2360, CH. 95 PV.

Mutual savings banks, loans, investments, certain real estate, housing, improvements, second mortgages, less than market rate return, higher risk degree, authorized, \*HB 300, CH. 31 EX.

Small loan companies, license fees, liquid assets provisions, revised, \*SB 2897, VETOED. Maximum loan periods, extended to 60 and ½ months, \*SB 2897 VETOED.

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- Pacific marine fisheries commission, member, \*\*GA 15 . . . . . pp. 72, 260, 293

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- Wenatchee community college district #15, trustee, \*\*GA 49 . . . . . pp. 80, 194, 242

**McCURDY, JAMES G.:**

- Washington state parks and recreation commission, member, GA 16 . . . . . pp. 72, 323

**MACKEY, RALPH:**

- Parks and recreation commission, member, \*\*GA 63 . . . . . pp. 197, 323, 816

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**MILLER, WALLACE J.:**

Program planning and fiscal management office, director,

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**MILLER, WARREN S.:**

Fort Steilacoom community college district #11, trustee, \*\*GA 44 . . . pp.78, 194, 241

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- Liquor, sales, penalty reduced to gross misdemeanor, \*Sub SB 2600, CH. 209 EX. PV.
- Motion pictures, X, R rated, attendance permitted, gross misdemeanor, SB 2097.
- Musicians, 18 years of age, licensed alcoholic beverage premises, employment permitted, \*SB 2847, CH. 96 EX.
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- Prisoners of war, missing in action, S.E. Asia, education, no fees, provisions, SB 2172, \*HB 235, CH. 63.
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## MOBILE HOMES (see also Motor Homes):

- Dealers, manufacturers, salesmen, regulation, \*Sub SB 2741, CH. 132 EX.
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- Sales, with land, licensed real estate salesmen, provision, \*HB 604, CH. 60 EX.
- Tax, imposition more than once, prohibited, \*HB 567, CH. 103.
- Personal property, repealed, SB 2431.
- Use, exempt, SB 2133.
- Used, sales, use tax, exempt, transfer tax imposed, HB 726.
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- Motor vehicles uniform code, conformity, provisions revised, SB 2085, Sub SB 2085.
- Stolen, manufacturer's serial number altered, destroyed, rightful owner, return, disposal, provisions, SB 2416.

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- Auto stages, for-hire vehicles, less than 25 seats, 30 day special permit, provision, Sub SB 2787.
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- 6-25 seats, maximum gross weights, calculation provision, Sub SB 2787.
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- Campers, trailers, vacation vehicles, summer use only, license provision, SB 2236.
- Construction, over 1000 horsepower, construction components, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.
- Dealers, manufacturers, salesmen, regulation, \*Sub SB 2741, CH. 132 EX.
- Title only, SB 2741.
- Department, building maintenance contractors, SB 2372.
- Business, professions, licensing fees, schedules, setting, provisions, SB 2441.
- Director, fuel tax, powers, responsibilities, transfer provisions, \*HB 71, CH. 96.
- Hearing aid council created, duties, SB 2059, Sub SB 2059, \*Sub HB 674, CH. 106 EX.
- Hearing aid dispensers, licensing provisions, SB 2059.
- Massage examining board, created, duties, SB 2473, Sub SB 2473.
- Driver's training schools, licenses, rules, regulation, SB 2569.
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- Farm machinery, oversize, overweight, highway use provisions, SB 2037.
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- Fuel, excise tax, increased, SB 2233.
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- Fuel, watercraft use, refunds eliminated, HB 87.
- Fund, expenditure, highway purposes, provision, SB 2551.
- Group blanket insurance policies, authorized, SB 2779.
- Host-guest, statute, liability, provisions repealed, SB 2046.
- Insurance, accident, state underwriting, provisions, SB 2230.
- Contract forms, uniform minimum standards, authorized, SB 2526.
- No-fault, provisions, SB 2044, SB 2134, Sub SB 2134, SB 2623.
- Operator driving experience abstracts, underwriting purposes, non-occupational driving uses prohibited, \*SB 2278, CH. 37 EX.
- Operators driving experience abstracts, employment operation purposes, use restriction, \*SB 2278, CH. 37 EX.
- License plates, personalized, issuance, authorized, fees, game fund allocation, SB 2083, \*HB 171 VETOED—House sustained.
- Referendum provisions, \*HB 1108, CH. 200 EX., Referendum Bill No. 33.

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- Lights, flashing, slow moving vehicles, 20 miles below highway speed limits, required, SB 2369.
- Manufacturers, vehicles, aircraft, parts, accessories, construction use, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.
- Mobile homes, issuance, requirement, provisions repealed, SB 2067, \*HB 567, CH. 103.
- Public roads, highways use, license plates required, \*HB 567, CH. 103.
- Taxes, imposition, more than once, prohibited, \*HB 567, CH. 103.
- Motorcycle operators, helmets, wearing requirement, provision removed, SB 2685.
- Motorists information act, highway informational signs, regulations, SB 2434.
- Occupational driver's license, petition, issuance, provisions, SB 2013, \*SB 2055, CH. 5.
- Oil, storage, excise tax, pollution control use, provisions, SB 2403, Sub SB 2403.
- Operators, alcohol, drugs, blood test levels, intoxication evidence provisions, SB 2124.
- Chemical test refusal, convicted, bail forfeited, sentence deferred, mandatory license revocation provision, not applicable, SB 2778.
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- Failure to stop for police, crime, SB 2277.
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- Intoxicated, test refusal, occupational license request, filing provision, SB 2781.
- Licenses, duplicated, fee increased, SB 2052.
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- Occupational license, petition, issuance, provisions, SB 2013, \*SB 2055, CH. 5.
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- Traffic law violators, conviction definition provisions, deferred sentence, suspended penalty, excluded, SB 2782.
- Under influence alcohol, drugs, determination, urinalysis provision, SB 2398.
- Test refusal, guilty plea, license retention provision, SB 2488.
- Competent evidence, admissibility restriction removed, SB 2613.
- Intoxicants, controlled substances, arrest, reasonable belief basis, provision, SB 2617.
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- Passenger, for hire, auto stages, unlicensed, no gross weight fee payment, temporary peak load use permitted, SB 2787.
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- Puget Sound reserve account, fuel tax, allocations, date provisions revised, \*SB 2552, CH. 124 EX.
- Registration, renewals, staggered periods, provision, SB 2530.
- Repair, service dealers, registration, regulations, SB 2565, Sub SB 2565.
- Roads, highways, vehicles, definitions, uniformity provisions, SB 2456.
- Rules of the road, bicycles, reflectors, lights, additional, requirements, SB 2632.
- Safety equipment requirements, non-compliance, vehicle sales prohibited, SB 2165.
- School buses, fuel, milk trucks, restricted load roads, use, reduced speeds, provisions, SB 2410.
- Service dealers, registration, regulation, SB 2565, Sub SB 2565.
- Slow moving, traffic hinderance, turn off required, \*SB 2246, CH. 88.
- 20 miles below highway speed limits, flashing lights required, SB 2369.
- Snowmobiles, registration, decals, fees, provisions, \*SB 2621, CH. 128 EX.
- Spray, fertilizer applicator rigs, highway use, vehicle license requirement, exempt, \*HB 225, CH. 17 EX.

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- Stopping, spot checking, certain purposes, police authorized, SB 2014.
- Suspension systems, alteration, prohibited, SB 2264.
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- Tow trucks, operators, certification, regulations, HB 607.
- Traffic, habitual offenders, provisions, general revisions, SB 2015.
- Trucks, tractors, gross loads, weight, size, provisions, general revisions, SB 2250, \*Sub SB 2250, CH. 150 EX.
- Overlegal loads, fee schedule, revised, SB 2583, Sub SB 2583.
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**MULLIN, JACK D.:**

- State personnel board, member, \*\*GA 17 . . . . . pp. 72, 229, 294

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**MURRAY, MRS. SHIRLEY S.:**

- Highline community college district #79, trustee, \*\*GA 40 . . . . . pp. 75, 193, 240

**MURRAY, SENATOR JOHN S.:**

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**MUSIC AND MUSICIANS:**

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- Copyrights, pooled works, holders' agent, appointment requirement, SB 2260.

**MUTUAL CORPORATIONS:**

- Annual reports, failure to file, dissolution, reinstatement provisions, SB 2254, \*HB 330, CH. 70.
- Corporate names, word requirements, \*SB 2251, CH. 113.

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- Executors, wills, estates, less \$250,000, appointment permitted, SB 2655.

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- Gifts, premiums, advertising, distribution, prohibited, certain exceptions, SB 2839, Sub SB 2839.
- Loans, investments, certain real estate, housing, improvements, second mortgages, less than market rate return, higher risk degree, authorized, \*HB 300, CH. 31 EX.
- Mortgages, reserve accounts, financial institutions, payment required, SB 2929.
- Real estate loans, certain, less than market rate, high risk, investment provisions, \*HB 300, CH. 31 EX.
- Satellite branches, certain financial institutions, establishment, department stores, supermarkets, authorized, HB 915(a).
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- Offices, certain financial institutions, establishment, department stores, supermarkets, authorized, HB 915(a).
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- Trustees, estates less \$250,000, pension plans, authorized, SB 2655.

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- Tunnel, construction, authorized, SB 2123.

**NARCOTICS (see Controlled Substances):****NATIONAL CONFERENCE OF STATE LEGISLATIVE LEADERS:**

- Nixon, President Richard M., convention address, petitioned, \*SJM 127.

**NATIONAL ORIGIN:**

- Discrimination, sex, age, disability, national origin, prohibited, SB 2695.

**NATURAL RESOURCES:**

- Department, state base mapping system established, \*Sub HB 429, CH. 159 EX.
- Wood debris, navigable waters, removal provisions, \*HB 134, CH. 136.
- Environment, impact statements, detailed legislative proposals, governmental decisions, affecting more than 100 acres, required, SB 2531.
- Environmental projects, involving 2 or more state agencies, administrative decision making procedures, established, \*Sub HB 306, CH. 185 EX.
- Forest fires, protection assessments, increased, \*SB 2790, CH. 182 EX.
- Protection assessments payment, time period extended \*SB 2790(a), CH. 182 EX.
- Forest land, fire prevention, department authority, rules, regulations, general revisions, \*HB 746, CH. 24 EX.
- Joint committee, created, powers, duties, SB 2599.
- Property, real, ecological systems, conservation use, tax exempt, \*SB 2038, CH. 112.
- Public construction, contracts, pollution, natural resources preservation provisions included, \*HB 621, CH. 62 EX.
- Public land exchange, commercial recreational leasing potential, provision, \*HB 389, CH. 50 EX.
- Public lands, city parks grants, current use special provisions compliance, department examination, Sub SB 2374.
- State forests, trust land, 160 acres, Mason county, reconveyance, SB 2784, \*Sub SB 2784, CH. 26.
- State lands, economic development, utilization, provisions, SB 2598.
- Weather modification board, abolished, duties transferred to ecology department, \*HB 249, CH. 64.

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- Board, disciplinary, created, duties, SB 2186, Sub SB 2186.
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## NAVIGATION:

- Harbor pilots, training courses, physical examinations, license standards, revisions, SB 2238.
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- Hypodermic, sales, records, regulation, HB 549, SB 2432.

## NEGLIGENCE:

- Child neglect, serious cases, reporting, assistance, provisions, SB 2901.
- Comparative, personal injuries, death, loss distribution, provision, SB 2164.
- Contributory, comparative determination provisions, \*SB 2045, CH. 138 EX.
- Damages, recovery actions, spouse imputation not permitted, \*SB 2045, CH. 138 EX.

## NEGOTIATIONS:

- Community colleges, professional negotiations, member definition revised, impasse committees, certification elections, provisions, \*SB 2153, CH. 205 EX. PV.
- School principals, assistants, separate employer-employee negotiations, organization establishment authorized, \*SB 2289, CH. 115 EX.
- Schools, common, certificated employees professional negotiations act, SB 2322, Sub SB 2322.

## NEIGHBORS IN NEED:

- Commission, created, powers, duties, Sub HB 1053.

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- News reporters, sources, disclosure, confidentiality, provisions, SB 2173.

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## NEWSPAPERS:

- Charitable funds, solicitation, professional fund raising registration not required, \*Sub HB 722, CH. 66 EX.
- Constitutional amendments, referendums, foreign language, minority newspapers, notice publication provisions, HB 426.
- County budgets, unanticipated funds, supplemental appropriations, publication provision, \*HB 130, CH. 97.
- Defined, sales tax purposes, SB 2389.
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## NINTH INFANTRY DIVISION:

- The Northwest's Own, designation petitioned, \*HJM 1.

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- Wildlife refuge, land, water acquisition, funds petitioned, \*HJM 14.

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- National conference of state legislative leaders, convention address, petitioned, \*SJM 127.

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(see also Charitable Organizations):

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Property, tax exemptions, uniform consistent application, administration, language revised, Sub HB 593.

**NONRESIDENTS:**

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Fishing licenses, daily, provisions, SB 2630.

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**NORTHERN STATE HOSPITAL:**

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**NUCLEAR ENERGY:**

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**NURSING HOMES:**

Council, advisory, membership, reconstructed, SB 2412.

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Financial records, examination provision, SB 2412.

Health planning, comprehensive program, residential care and treatment facilities, inclusion, SB 2117.

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Employees, bargaining representative, practices, arbitration, provisions, HB 178.

Mental incompetents, requiring psychiatric treatment, care authorized, \*HB 731, CH. 108 EX.

Out-patient services, provisions, \*Sub HB 944, CH. 71 EX.

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State route No. 115, to Ocean Shores, established, \*HB 185, CH. 60.

OCEANOGRAPHY:

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- Appointed, financial disclosure, annual statements, filing required, SB 2697.
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- State, appointed, certain additional, duties, salaries, salary committee study, SB 2324.  
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- Criminal proceedings, conduct of office cases, attorney general, defense, representation authorized, HB 523.
- Elected, appointed, pensions, retirement allowance, yearly compensation basis, minimum benefits schedule, SB 2687.  
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- Elective officers, judges, legislators, salaries increased, \*Sub SB 2854, CH. 137 EX. PV.

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**OLYMPIC FERRIES, INC.:**

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**OPEN PRIMARIES:**

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**OPERATING BUDGET:**

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**OREGON:**

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**PAPER AND PAPER PRODUCTS:**

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Illegitimate, parental rights, provisions, \*SB 2459, CH. 134.

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Boats, overnight moorage, state parks, fees authorized, SB 2923.

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Ski lifts, recreation devices, inspection duties transferred, labor and industries department, Sub SB 2662.

Commissioners, cities, 2nd, 3rd, 4th class, increased number authorized, \*HB 585, CH. 76.

Public land exchange, commercial recreational leasing potential, provisions, \*HB 389, CH. 50 EX.

Recreation, parks, county service areas, city, town area inclusion, provisions, \*HB 257, CH. 65.

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State lands, city parks grants, current use, special provisions compliance, natural resources department examination, Sub SB 2374.

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- Youth camps, uniform safety standards, regulation, SB 2582.

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- Interest charges, minimum fees, rates established, SB 2589, \*Sub SB 2589, CH. 91 EX.
- Stolen goods, replevin actions, attorney fees, costs, provision, SB 2332.

## PAYROLLS:

- State agencies, payroll accounting, unified system, demonstration project, \*HB 720(a), CH. 219 EX. PV.
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- Colleges, universities, faculty, employees benefits, inheritance tax exempt, \*SB 2119, CH. 149 EX.
- Committee created, study, title only, SB 2704.
- Community colleges, faculty, higher education program, inclusion, \*SB 2119, CH. 149 EX.
- Community, state colleges, universities, systems, pension benefits, inheritance tax, exempt, SB 2363, \*Sub HB 1005, CH. 221 EX. PV.
- Firemen, boards, mayor's duties, 1st class cities, designated representative, appointment authorized, \*HB 460, CH. 19 EX.
  - Police, all retirees, survivors minimum benefits, increased to \$300, \*Sub SB 2586, CH. 181 EX.
    - Retirees, local systems, benefits equal to LEFF system, entitlement, SB 2586.
    - Volunteer, retirement age, years of service, benefit provisions, increased revised, \*HB 369, CH. 170 EX.
- Higher education, faculty, retirement, annuity programs, provisions, \*SB 2119, CH. 149 EX.
- Inheritance tax, beneficial interest, exempt, SB 2822.
  - Benefits, federally exempt systems, state exemption, SB 2363, \*Sub HB 1005, CH. 221 EX. PV.
    - Rights, up to \$100,000, exempt, SB 2802.
  - Pensions, private, certain internal revenue code provisions coverage, exempt, SB 2891.
    - Public, certain private programs, internal revenue code provisions coverage, exempt, SB 2824.
- Judges, higher courts, pro tempore service, credit authorized, SB 2242, SB 2646, \*SB 2084 VETOED.
  - Pro tempore, courts of record, 90 day service limitation, maximum income provision, \*SB 2382(a), CH. 119 EX.
- Judges' retirement systems, administration vested, judicial retirement board, SB 2561.
- Judicial retirement system, certain other system credits, transfer, time limitation, SB 2381.
  - Post retirement earnings, spouse's earnings, benefits deduction provisions, \*SB 2382, CH. 119 EX.
- Law enforcement and fire fighters system, general revisions, SB 2266, SB 2467.
- Liquor board, employment of retirees receiving over \$400 monthly, prohibited, SB 2600.
- Officials, elected, teachers retirement system members, public employees system transfers, service year provisions reduced, SB 2612.
- Police, fund, board duties, 1st class cities, mayor's designated representative, authorized, \*HB 123, CH. 16 EX.
  - Retirement, 1st class cities, city treasurer payment provision, \*SB 2072, CH. 143.
  - 1st class cities, former city employees retirement system members, police system transfer provisions, \*SB 2072(a), CH. 143.

## PENSIONS—Continued:

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system, elected, appointed state officials, pensions, retirement allowance, yearly compensation basis, minimum benefits schedule, SB 2687.

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Retired, railroad benefit income, tax exemption provision, SB 2228.

State employees, certain public pensions, employment restrictions, SB 2931.

State officials, elected, legislators, calculation, time services rendered basis, SB 2376.

Teachers' retirement, public employees' systems, merger study completion, appropriation, \*Sub HB 497, CH. 127.

Teachers, retirement, 25 years service, age requirement removed, SB 2612.

Unemployment compensation, federal government, postal service retirees, benefits payments, reductions not permitted, SB 2546.

WSU, classified employees, public retirement system, membership authorized, SB 2090, \*HB 105, CH. 168 EX.

## PER DIEM:

Legislators, interim period official business, increased, \*Sub HB 174(a), CH. 197 EX.

Marine employees commission members, per diem, travel compensation, provision, SB 2245.

## PERFORMANCE AUDITS:

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## PERMITS:

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Grass, turf, burning, seed production purposes, fees, alternate methods, study payment, \*Sub HB 862, CH. 193 EX.

Motor vehicle operators, licenses, physical ability investigation, temporary permits authorized, SB 2207.

Plumbing apprentices, registration, issuance provision, \*SB 2101, CH. 175 EX.

Shoreline development applications, review petitions, temporary stays, provisions, SB 2657.

Shorelines, I-90 bridges, construction permit, local government issuance provision, SB 2657(a).

Trucks, tractors, gross loads, weight, size, provisions, general revisions, SB 2250, \*Sub SB 2250, CH. 150 EX.

Overlegal loads, fee schedule, revised, SB 2583, Sub SB 2583.

Waste discharges, water pollution control program, state administration provisions, \*HB 594, CH. 155 PV.

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## PERSONNEL BOARD:

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## PERSONNEL DEPARTMENT:

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## PETERSON, ROY:

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## PETROLEUM:

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## PHARMACY AND PHARMACISTS:

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Pharmacy board, membership increased, reconstituted, \*Sub HB 351, CH. 18 EX.

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- Prescriptions, generic, instead of brand names, dispensation authorized, SB 2333.
- Financial interest, corporations, associations, patient referrals, disclosure, \*HB 204, CH. 26 EX.
- Hospitals, staff practice, discrimination prohibited, SB 2908.
- Legend drugs, distribution, administration, dispensation, regulations, penalties, \*HB 766, CH. 186 EX.
- Life sustaining mechanisms, use, withdrawal, patient right, provisions, SB 2449.
- Malpractice suits, expert testimony, similar professional license, requirement, SB 2654.
- Podiatrists, licensing, regulation, provisions, SB 2471, \*HB 665, CH. 77.
- Port Roberts, Maple beach, Canadian physicians, practice authorized, \*HB 933, CH. 110 EX.
- Practice, medicine, regulations, licensing, provisions revised, SB 2379.
- Title only, SB 2907.

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- Harbor, training courses, physical examination, license standards, revisions, SB 2238.
- Marine, rest periods, minimum requirement, SB 2335.
- Ships, piloted, safety standards, requirements, SB 2239.
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**PITTELKO, DENNIS:**

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- Building code advisory council, established, SB 2634, Sub SB 2634.
- Spanish-American affairs commission, responsibilities, assistance provision, SB 2925.

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- Irrigation districts, short or final plats, water right of way, approval requirement, \*HB 60(a), CH. 150.

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- Advisory board created, \*SB 2101, CH. 175 EX.
- Apprentices, registration, work permit issuance, provision, \*SB 2101, CH. 175 EX.
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**PODIATRISTS:**

- Licensing, regulation, provisions, SB 2471, \*HB 665, CH. 77.

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**POISONS:**

- Edible substances, alterations, placement, adulteration, crime, \*HB 75, CH. 119.

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- Accidents, motor vehicle, citation issuance, probable ground basis, SB 2058.
- Animal cruelty, suffering, relief action, authorized, \*Sub SB 2554, CH. 125 EX.
- Chiefs, cities over 500,000, out-of-state, service, LEFF retirement system, credit provisions, SB 2457.

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- Collective bargaining, certain cities, class AA counties, uniformed personnel, negotiations, arbitration, provisions, SB 2286, \*2nd Sub HB 176, CH. 131.
- Colleges, universities, police force, minimum standards, training requirements, SB 2174.
- Community colleges, force, established, powers, SB 2184.
- Criminal justice training, commission created, duties, SB 2132.
- Fire, police departments, combining prohibited, SB 2680.
- Juvenile records, court proceedings, legal files, records inspection, sealing, destruction, provisions, SB 2529.
- Killed, disabled on duty, children, free tuition, \*HB 442, CH. 191 EX.
- Lie detector tests, original employments, promotions to captain and higher, use permitted, \*SB 2187(a), CH. 145.
- Medical benefits, LEFF payments, duty incurred disability, illness, requirement, SB 2610.
- Motor vehicles, operators, failure to stop for police, crime, SB 2277.
  - Operators, under influence, intoxicants, controlled substances, reasonable belief basis, provision, SB 2617.
- Stopping, spot checking, certain purposes, authorized, SB 2014.
- Murder, death penalty, mandatory, SB 2077.
- Pension fund, board duties, 1st class cities, mayor's designated representative, authorized, \*HB 123, CH. 16 EX.
- Pensions, all retirees, survivors, minimum benefits, increased to \$300, \*Sub SB 2586, CH. 181 EX.
  - Former city employee retirement system members, 1st class cities, police system transfer provisions, \*SB 2072(a) CH. 143.
- Retirement, 1st class cities, beneficiaries, city treasurer payment provision, \*SB 2072, CH. 143.
- Property, personal acquisition in performance of official duties, disposal time period shortened, \*HB 160, CH. 44 EX.
- Retirees, local systems, benefits equal to LEFF system, entitlement, SB 2586.
- Retirement, LEFF system, general revisions, SB 2266, SB 2467.
- State patrol, special deputies, state patrol employees appointment permitted, \*SB 2146, CH. 80 EX.
- Telephone charges, citizen calls, basic local area rate, charge provisions, SB 2444.
- Training, municipal, law enforcement officers training commission, state aid allocation, specific need basis, provision, SB 2514.
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- Precinct committeemen election, absentee voting provision, SB 2235.

## POLLUTION:

- Air, burning, certain materials, dense smoke emission, obnoxious odors, prohibited, SB 2020.
  - Burning permits, county issuance, enforcement, state powers delegated, \*Sub HB 862, CH. 193 EX.
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  - Permits, fees, alternate methods, study payment, \*Sub HB 862, CH. 193 EX.
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- New emission standards, compliance schedules, notice requirement, \*Sub HB 862, CH. 193 EX.
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- Clean air act, violations, fines, maximum established, local payment enforcement provision, \*SB 2317, CH. 176 EX.
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- Election, absentee voting provision, SB 2235.
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- Escheats, probates, records, public inspection, availability authorized, \*SB 2588, CH. 25.
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- Nursery stock, original producer, definition, property tax purposes, HB 1044, SB 2899.
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- Self defense, protection, provisions, SB 2815.
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  - Formal, informal board hearing, election provision, HB 114.
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- Rebates, owners, renters, claimant's household income basis, provisions, SB 2579.
- Refunds, disabled persons, late filing provision, SB 2114.
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- Aircraft, parts, accessories, construction use, out-of-state ownership, transfer, property tax exempt, \*HB 54(a), CH. 149.
- B & O tax, tangible property distribution, less than \$40,000 monthly, exempt, SB 2817.
- Consumer goods, warranties, regulation, provisions, SB 2460.
- Display goods, civic centers, tax exempt, SB 2383.
- Expo '74 displays, personal property use tax, exempt, SB 2684.
- Insurance, cancellations, provisions defined, notice requirements, SB 2087.
- Livestock, personal property tax assessment, monthly average holdings basis, HB 1011.
- Lost, finder's ownership rights, provision, SB 2888.
- Pawnbrokers, interest charges, minimum fees, rates established, SB 2589, \*Sub SB 2589, CH. 91 EX.
- Police, acquisition of performance of official duties, disposal time period shortened, \*HB 160, CH. 44 EX.
- Sport, athletic franchises, contracts, private nongovernmental, ad valorem tax exemption, HB 1006, SB 2818.

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Improvements, destroyed by fire, demolished, tax liability adjustment provision, SB 2644.

Insurance, cancellations, provisions defined, notice requirements, SB 2087.

Irrigation districts, surplus, sale, adjoining owners, first refusal provision, \*HB 60, CH. 150.

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Land sales, pertinent information, disclosure requirements, \*SB 2268, CH. 12 EX.

Mobile home sales, with land, licensed real estate salesmen, authorized, \*HB 604, CH. 60 EX.

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Spokane county, certain social and health services department sale authorized, \*HB 769, CH. 109 EX.

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Retired persons, housing cooperative unit owners, exemption provision, SB 2409.

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Senior citizens, exemption, income range basis, schedule amount increased, SB 2671.

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Under \$6000 income, excess levies exemption, SB 2002.

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Telegraph companies, tax imposition, revenue distribution, HB 139.

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Recipients, felony arrest warrants, address, departmental record disclosure, provision, \*SB 2008(a), CH. 152.

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Income resource, \$7.50 exemption provision, SB 2679.

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- Recreation, utilities rights of way, certain uses, provision, SB 2501.
- School, municipal parks use, open space registrations, lease costs, provisions repealed, \*HB 155, CH. 57.
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- Municipal surplus property sale, lease, provisions, \*SB 2835, CH. 95 EX.
- Nuclear, thermal power facilities, development, joint operating agencies, participation, SB 2402, \*HB 502, CH. 7 EX.
- Property, aggregate levies, 1% of fair value, limitation, port, public utilities districts excepted, \*Sub HB 1060, CH. 194 EX.
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- Gambling, communication facilities, use, reporting requirement, SB 2031.
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- Printing, distribution costs recovery, fee charges authorized, HB 399, \*SB 2294, CH. 85 EX.
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- Institutional industries, material, highway department, excepted, SB 2486.
- State purchasing, no preference provision, SB 2483.
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- Alcoholism division, established, duties, \*SB 2435, CH. 155 EX. PV.
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## SORIANO, LOUIS:

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Organizations, non-profit, athletic purposes, real property tax exemption, SB 2624.

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SPRINGER, ROBERT O'NEILL:

Tacoma community college district #22, trustee, \*\*GA 60 . . . . . pp. 81, 196, 245

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- Consumer affairs department, created, duties, HB 640.
- Contractor's registration division, created, labor and industries department, \*SB 2544, CH. 153 EX.
- Contracts, personal services, all, capitol committee approval requirement, SB 2200.
  - Certain, office of program planning and fiscal management, approval, filing requirement, HB 90.
- Correction division, social and health services department, created, \*SB 2036 VETOED.
- Crime, organized, intelligence unit created, duties, \*Sub SB 2717, CH. 202 EX.
- Crime victims compensation board, created, SB 2062.
- Data processing authority, created, powers, duties, SB 2595, \*HB 720, CH. 219 EX. PV.
- Data processing plan, state, long range, consolidation, centralization purposes, SB 2595, \*HB 720, CH. 219 EX. PV.
- Disaster, plan, federal assistance, resources allocation, council functions, provisions, SB 2313.
- Domestic relations agency, created, powers, duties, SB 2690.
- Elections, general, odd-numbered years, prorated share payment provisions, \*SB 2021, CH. 4.
- Electricians advisory board created, duties, HB 294, \*SB 2183, CH. 206 EX. PV.
- Emergencies, state agency funds, allocation, expenditure, authority, provisions, SB 2637.
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  - Compensation deferral, insurance, annuities, purchase provisions, SB 2785, \*HB 252, CH. 99 EX.
  - Funds solicitation, partisan, political organization purposes, prohibited, HB 474.
  - Legislators' requesting information, providing authorized, SB 2231.
  - Salary adjustment, supplemental budget appropriation, provision, SB 2106, \*Sub SB 2106, CH. 8, \*Sub SB 2106(a), CH. 8.
  - State, certain public pensions, employment restrictions, SB 2931.
  - Vacation leave days, computation, calendar year basis, SB 2497.
- Employment security advisory council, appointed, SB 2556.
- Employment security department, appropriation operation, remainder 1971-73 biennium, \*SB 2619, CH. 7.
  - Employee salaries, fringe benefits, appropriation, \*SB 2619, CH. 7.
- Environment, impac statements, detailed legislative proposals, governmental decisions, affecting more than 100 acres, required, SB 2531.
- Environmental projects, involving 2 or more state agencies, administrative decision making procedures, established, \*Sub HB 306, CH. 185 EX.
- Evergreen county, created, area detached from King county, SB 2499.
- Expo 74, property acquisition, planning, construction, remodeling, bonds, appropriation, \*SB 2309, CH. 116 EX.
- Facility, termination, services, employee alternative employment, loss minimization, provisions, HB 1054, SB 2603.
- Federal funds, unanticipated, expenditure, requiring governor's approval, report to legislature required, \*SB 2093, CH. 144.
- Federal land, relinquished, state jurisdiction, acceptance provision, SB 2068.
- Fire protection, services, state agencies, institutions, local district contract required, SB 2396.
  - State, municipal property, adjacent, within fire district areas, provision, \*HB 685, CH. 64 EX.
- Fire training advisory board, created, duties, \*SB 2270, CH. 83 EX.
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- Fish, anadromous, stock management, Columbia river compact, provision, SB 2064, SB 2338.

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- Fisheries department, advisory council created, duties, \*SB 2339 VETOED.
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- Forms management center, state-wide program, general administration department, established, \*SB 2089, CH. 13.
- Funds, federal, other sources, unanticipated, expenditure, reporting provisions revised, SB 2760.
- Surplus, investment, time deposits, public depositories procedures, SB 2162, \*HB 217, CH. 123.
- Time deposits, interest, U.S. treasury six month bill auction basis, HB 1047.  
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- Gambling commission, created, powers, duties, Sub SB 2145, \*Sub HB 711, CH. 218 EX. PV.
- General administration department, state agency billing, operating maintenance costs, billing intervals revised, \*SB 2220, CH. 82 EX.
- Geographic names board, created, duties, \*SB 2504, CH. 178 EX.
- Goals, long range, comprehensive, planning, policy formulation provisions, SB 2620.
- Governmental cooperation, joint committee, established, title only, SB 2751.
- Governor, appointed officials, financial disclosures, Initiative 276 provisions, included, SB 2482.
- Hearing aid council, motor vehicles department, created, SB 2059, Sub SB 2059, \*Sub HB 674, CH. 106 EX.
- Highway commission, operations, capital improvements, 1973-75 biennium, SB 2328, \*Sub SB 2328, CH. 222 EX. PV.
- Highway construction, urban areas, county, city arterials, finance, general obligation bonds, issuance, \*HB 197, CH. 169 EX.
- Holidays, Memorial day, Veterans' day, date changed, SB 2889, \*HB 356 VETOED.
- Hospital commission, created, rates, costs, financial matters, review, duties, SB 2113, \*Sub SB 2113, CH. 5 EX.
- Income tax, graduated net, imposition authorized, SJR 109, \*HJR 37.
- Indians, hunting, fishing rights, treaty locations, state jurisdiction removed, SB 2141.
- Institutions department, created, duties, SB 2518.
- Interfund loans, state agencies, state treasurer deposit interest transfers, state auditor notice requirement removed, \*SB 2360, CH. 95 PV.
- Investigative and referral unit, special, created, powers, duties, SB 2647, Sub SB 2647.
- Investment board, created, duties, finance committee duties transferred, SB 2461, Sub SB 2461.
- Labor and industries department, employment standards supervisor, women in industry supervisor name changed, HB 962, SB 2463.
- Land planning commission, dissolution date extended, \*HB 957, CH. 72 EX.
- Lands, economic development utilization, provisions, SB 2598.  
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- Libraries and information service board created, duties, SB 2166.
- Maps, coordinated statewide system established, \*Sub HB 429, CH. 159 EX.
- Mass transportation department created, powers, duties, appropriation, SB 2789.
- Massage examining board, created, motor vehicle department, SB 2473, Sub SB 2473.
- Motor vehicle accident insurance, state underwriting, provisions, SB 2230.
- Natural resources joint committee created, powers, duties, SB 2599.
- Naturopathic physicians, disciplinary board, created, duties, SB 2186, Sub SB 2186.
- Neighbors in need commission, created, powers, duties, Sub HB 1053.
- North Cascades subregional service delivery center, created, duties, SB 2533.
- Nuclear, thermal power facilities, development, joint operating agencies, participation authorized, \*HB 502, CH. 7 EX.
- Oceanographic commission, membership increased, changed, SB 2602.

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 Elective, judges, legislators, salaries increased, \*Sub SB 2854, CH. 137 EX. PV.  
 Recall charges, detailed complaint descriptions, requirement, SB 2678.
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- Parks and recreation, 2 regional boards created, powers, duties, SB 2922.
- Payroll accounting, state agencies, unified system, OPPFM demonstration project authorized, SB 2909.
- Performance audits, program goals, objectives, legislative budget committee, authorized, \*Sub HB 174, CH. 197 EX.
- Plumbers advisory board created, duties, \*SB 2101, CH. 175 EX.
- Policy formulation, long range, office created, powers, responsibilities, SB 2620.
- Prisoners, furloughed, work release, damages caused, claims against state permitted, SB 2126.
- Professional sports commission, created, duties, SB 2682.
- Property, appraisal board, created, duties, SB 2032.
- Public employees' retirement system, membership, benefits, cost of living factors, contributions, general revisions, SB 2387, \*Sub HB 435, CH. 190 EX.  
 Officials, elective, contribution provisions, HB 49.  
 Teachers' system, merger study, recommendations, \*Sub HB 435, CH. 190 EX.
- Public pension commission, duties transferred, legislative budget committee, SB 2913.
- Purchasing advisory committee, membership increased, community college board added, SB 2201.
- Purchasing appeals board created, duties, SB 2215.
- Railroad grade crossings, protection fund, cost apportionment formula revised, \*SB 2075, CH. 77 EX.
- Records, retention, protection, disposal, reproduction provisions, SB 2078, \*HB 86, CH. 54.
- Retirement system task force, created, duties, \*Sub HB 435, CH. 190 EX.
- Safety division, name change, industrial safety and health division, \*HB 422, CH. 52 EX.
- Salary committee, certain additional appointive officials, duties, salaries study, inclusion, SB 2324.
- Schools, financing, support, new system, teacher compensation schedule, comprehensive plan development, SCR 104.
- Social and health services department, operations budget, appropriation, SB 2800, \*Sub SB 2800, CH. 139 EX. PV.
- Spanish-American affairs commission, name change, membership, duties, provisions revised, SB 2925.
- Stadium management commission, created, SB 2091.
- State accounts, funds, certain, transfer to basic general fund, \*HB 595, CH. 59 EX.
- State building authority, abolished, \*HB 195, CH. 9.
- State employees, salaries, increase provision, \*Sub SB 2854, CH. 137 EX..PV.
- State services, advance payment, procedure provisions, \*SB 2109, CH. 104.
- State treasurer, additional deputies, appointment authorized, civil service exempt, SB 2019, \*HB 18, CH. 10.  
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- Veterans, full retirement benefits recipients, state reemployment rights, credits, SB 2192.
- Water pollution control, waste discharges permit program, state administration provisions, \*HB 594, CH. 155 PV.
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- Deceased members, spouse annuity payments revised, \*SB 2570, CH. 180 EX.
- Deputies, special, state patrol employees appointment permitted, \*SB 2146, CH. 80 EX.
- Disability, non-service incurred, benefits, amount reduction provision, SB 2659.
- Firearms, licenses, sales, forms, issuance authority, SB 2148.
- Organized crime intelligence unit established, title only, SB 2717.
- Retirement system, fundable employer liability, actuarial valuation, contribution rates, provisions, \*SB 2570, CH. 180 EX.
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- Community college, dormitories, construction, capital improvement funds, use prohibited, SB 2105, \*Sub SB 2105, CH. 114 EX.
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- Community colleges, enrolled 2 or more colleges, program approvals, state board jurisdiction, SB 2521, \*HB 645, CH. 129.
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- First class school districts, AA counties, population number requirement reduced, SB 2915.
- Graduate, loan program established, SB 2418.
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- Pregnant, alternative educational programs, school district development provisions, SB 2628.
- Public assistance, benefits, certain high school, vocational school students, authorized, \*HB 753, CH. 35 EX.
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- Clerks, fees, double amendments, code correction, \*HB 308, CH. 38.
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- Juvenile department, new systems, jurisdiction, powers, duties, SB 2689.
- Notaries public, records, deposit provision, repealed, \*SB 2288, CH. 84 EX.
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- Tax appeals, informal hearings decisions, appeals board, de novo review, provision, HB 114(a).
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- Bank satellite branches, certain financial institutions, establishment authorized, HB 915(a).
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- 1971-73 fiscal biennium, includes \$40 per month salary adjustment, state employees, \*Sub SB 2106, CH. 8.

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- Children, ADC, support proceedings, class AA counties, attorney general authority, SB 2211.
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- Eastern Washington historical society, certain materials, disposal provisions, \*HB 212, CH. 35.
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 Assessor's records, files, sales, use taxes, revenue department use, personal property liability purposes, SB 2808, \*HB 1019, CH. 74 EX.  
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     Employee defined, social security purposes, provision, SB 2558.  
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     Total collected amounts, taxing district distribution, provision, \*HB 127, CH. 43 EX.  
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 Estate, trusts, deferred inheritance tax, invasion payments, \*SB 2614(a), CH. 127 EX.  
 Excise, excess payments, penalties, recovery period extended, interest amount increased, SB 2810.  
     Lodgings, convention center facilities, funding, use authorized, SB 2494.  
 Excise, motor vehicle fuel increased, SB 2233.  
     Allocation, community transportation facilities development purposes, SB 2639.  
     Motor vehicles, portion, municipal allocation, public mass transit purposes, SB 2681.

## TAXES—Continued:

- Oil storage, pollution control use, provisions, SB 2403, Sub SB 2403.
- Public utility, fire protection districts, imposition authorized, SB 2182.
- Storage warehouses, public utility excise, imposed, SB 2532.
- Transportation facilities construction, real property economic benefits, public transportation financing, SB 2470.
- Expo '74 displays, personal property use tax, exempt, SB 2684.
- Farm, agricultural lands, use value, graduated income tax imposed, state structure revised, SB 2247.
- Farms, agricultural, timber lands; current use assessment provisions, SB 2177, Sub SB 2177.
- Fish farms, catch fees, exempt, \*HB 628, CH. 63 EX.
- Fuel, aircraft, air travel clubs, use, excise, exempt, SB 2466.
  - Motor vehicle, cities, towns, allocation portion, street purposes authorized, \*HB 444, CH. 160 EX.
  - Department, director, powers, responsibilities, transfer provisions, \*HB 71, CH. 96.
  - Excise reduced, sales tax authorized, SB 2807.
  - Watercraft use, tax refunds eliminated, HB 87.
- Snowmobile, allocation, expenditure provision, \*SB 2621, CH. 128 EX.
- Special, bonded dealers, users, trip permits, payment provisions, \*Sub HB 64, CH. 156 EX.
- Gift, donees, age limit, increased, \*SB 2040, CH. 146 EX.
- Hearings, informal decisions, appeals board, de novo review, superior court, provision, HB 114(a).
- Income, actual gross, flat rate, provision, school support purposes, property levies relief, SB 2935.
  - Graduated net, imposed, state structure, revised, SB 2247, \*Sub SB 2247, CH. 141 EX.
  - Imposition authorized, SJR 109, \*HJR 37.
- Inheritance, annuities, retirement benefits, rights, up to \$100,000, exempt, SB 2802.
- Beneficial interest, pensions, retirement benefits, exempt, SB 2822.
- Community property, transferred to surviving spouse, exempt, SB 2880.
- Marital deduction, federal estate tax qualification, class A rate, \*SB 2614, CH. 127 EX.
- Pension benefits, federally exempt systems, state exemptions, SB 2363, \*Sub HB 1005, CH. 221 EX. PV.
- Pensions, private, certain internal revenue code provisions coverage, exempt, SB 2891.
  - Public, certain private programs, internal revenue code provisions coverage, exempt, SB 2824.
- Insurance agents, B & O tax, exempted, SB 2849.
- Insurance premiums, city tax imposition, authorized, SB 2798.
- Land reclamation, levy authorization, repealed, SB 2107, \*HB 69, CH. 40 EX.
- Laundry service, nonprofit hospitals, sales, exempt, \*SB 2841, CH. 145 EX.
  - Sales, nonprofit hospitals, B & O exempt, \*SB 2841(a), CH. 145 EX.
- Leasehold estates, in lieu excise tax, levy provisions, \*Sub HB 52, CH. 187 EX.
- Levies, excess, school districts relief, state operating budget appropriation, \*Sub SB 2854, CH. 137 EX. PV.
  - Special elections propositions, favoring vote "yes", opposed vote "no", provision, \*HB 55(a), CH. 3.
  - Voter majority provisions, revised, SB 2065, SB 2102, \*HB 55, CH. 3.
- Property limitation, millage allocation, SB 2102, SB 2225, SB 2346, Sub SB 2346.
- Property, rate, expressed in dollars per thousand dollars assessed valuation, \*HB 186(a), CH. 195 EX.
- Levy rate, expressed in dollars, per thousand dollars assessed valuation, provisions, \*HB 186(a), CH. 195 EX.

## TAXES—Continued:

- Liquor, county share, alcoholism program support, alcoholism administrative board approval, required, SB 2435(a), CH. 155 EX. PV.
- Livestock, personal property assessment, monthly average holdings basis, HB 1011.
- Local government, county treasurer revenue report, distribution provisions, repealed, \*HB 165, CH. 58.
- Manufacturers, vehicles, aircraft, parts, accessories, construction use, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.
- Mobile homes, campers, repealed, SB 2431.
  - Use tax exemption, SB 2133.
  - Identification tags, issuance, requirement, provisions repealed, SB 2067, \*HB 567, CH. 103.
  - Imposition more than once, prohibited, \*HB 567, CH. 103.
  - Used, sales, use tax, exempt, transfer tax imposed, HB 726.
- Motor vehicle fuel, code corrections, \*HB 312, CH. 42.
  - Excise tax increased, SB 2233.
  - Puget Sound reserve account, allocations, date provisions revised, \*SB 2552, CH. 124 EX.
- Motor vehicles, 1% special municipal excise tax, mass transit facility construction purposes, limited, SB 2813, \*Sub SB 2813, CH. 136 EX.
- Newspapers, defined, sales tax purposes, SB 2389.
- Nonprofit corporations, exemption status, final court judgment, delinquent interest payment, suspension provision, HB 114(a).
- Nursery stock, original producer, definition, property tax purposes, HB 1044, SB 2899.
- Open space, farm, agricultural, timber lands, current use assessment provisions, SB 2177, Sub SB 2177.
  - General revisions, SB 2049, SB 2155, SB 2177, \*Sub HB 53, CH. 212 EX. PV.
- Open space land, transferred to churches, back taxes, interest, exempt, SB 2269.
- Open space lands, farm, agricultural, timber, current use assessment provisions, SB 2035, \*Sub HB 53(a), CH. 212 EX. PV.
- Personal property, recreational items, home repair equipment, exempt, SB 2431.
- Port districts, establishment, starting costs, 1 mill levy, 2 year limitation provisions, SB 2917.
- Property, aggregate levies, 1% of fair value, limitation, port, public utilities districts excepted, \*Sub HB 1060, CH. 194 EX.
  - Limitation provisions, \*Sub HB 1060, CH. 194 EX.
- Property, agricultural fairs, leased, exempt, \*SB 2559(a), CH. 117.
  - Formal, informal hearings, election provision, HB 114, SB 2232.
- Delinquent, interest rates, schedule, revised, HB 138, SB 2092.
- Exemption statutes, antiquated language replacement, uniform application, provisions, Sub HB 593.
- Fire protection districts, support, service charge, imposition authorized, SB 2099, \*Sub SB 2099 VETOED.
  - Election provision, \*Sub SB 2099 VETOED.
- Four yearly installments, payment provision, SB 2371.
- Leasehold states, in lieu excise tax, levy provisions, \*Sub HB 52, CH. 187 EX.
- Levy limitation, millage allocation, SB 2102, SB 2225, SB 2346, Sub SB 2346.
- Levy rate, expressed in dollars per thousand dollars assessed valuation, \*HB 186(a), CH. 195 EX.
- Millage, fire control districts, increased, library district, eliminated, SB 2142.
- Personal, civic centers display goods, exempt, SB 2383.
  - Liability determination, assessor sales, use tax records, revenue department use authorized, SB 2808, \*HB 1019, CH. 74 EX.
- Livestock, assessment, monthly average holdings basis, HB 1011.
- Mobile homes, campers, repealed, SB 2431.
  - Omitted taxpayer report, assessed value reporting required, HB 706.
- Property, real, certain parcels, building permits denied, health, safety reasons, exempt, SB 2799.



## TAXES—Continued:

- Ecological systems, conservation use, tax exempt, \*SB 2038, CH. 112.
- Excess levies, regular levy restoration, base year formula calculation, SB 2451, \*HB 736, CH. 67 EX.
- Exempt listings, description, requirements revised, HB 352.
- Fair valuation, establishment, alternative method, provisions, SB 2413.
- Improvements, destroyed by fire, demolished, liability adjustment provision, SB 2644.
- Non-profit organizations, athletic purposes, exempt, SB 2624.
- Retired persons' residences, assessed valuation, exemption provisions, SB 2024.
  - Housing cooperative unit owners, exemption provision, SB 2409.
  - Payment deferral, lien provisions, SB 2011.
  - \$10,000 assessed value, exemption, SB 2660.
- Senior citizens, exemption, income range basis, schedule amount increased, SB 2671.
  - Retired, federal civil service, railroad benefits, income exemption provision, SB 2188, \*HB 161, CH. 98 EX.
  - Railroad benefits, income exemption provision, SB 2228.
  - Under \$6000 income, excess levies exemption, SB 2002.
- Property real, telegraph companies, imposition, revenue distribution, HB 139.
  - Value, tax increases, attributable to urban development, project indebtedness payment provisions, \*HJR 22.
- Rebates, owners, renters, claimant's household income basis, provisions, SB 2579.
- Refunds, disabled persons, late filing provisions, SB 2114.
- Review claims, comparable sales compilations, availability provisions, SB 2094, \*HB 119, CH. 30 EX.
- Twelve monthly installments, payment provisions, SB 2804.
- Public utilities, excise, commodities destined for marine shipment, pending loading exempt, SB 2420.
- Real estate, property transfers, by individuals to wholly owned corporation, excise tax exempt, SB 2896.
- Real estate sales, resales, partial payments, credit allowance, SB 2650.
- Reforestation, title only, SB 2811.
- Sales, alcoholic beverages, reduced, SB 2555.
  - Food, prescription drugs, exempt, graduated income tax imposed, state structure revised, SB 2247, \*Sub SB 2247, CH. 141 EX.
  - Home construction materials, disabled wheelchair veterans, exempt, SB 2070.
  - Laundry service, nonprofit hospitals, B & O exempt, \*SB 2841(a), CH. 145 EX.
  - Exempt, \*SB 2841, CH. 145 EX.
- Milk containers, returnable, deposit charges, gross proceeds, sales tax exempt, SB 2349.
- Newspaper defined, tax purposes, SB 2389.
- State, increased from 4.5% to 5%, SB 2692.
  - Municipal portion, public transportation system use, provision, SB 2692.
- Use, commercial fishing vessel purchases, operation outside territorial waters, exempt, SB 2688.
- School levies, limited, 1% flat rate gross income tax imposed, school support provisions, state level property relief purposes, SB 2935.
- Snowmobiles, fuel, allocation, expenditure provision, \*SB 2621, CH. 128 EX.
- Sport, athletic franchises, contracts, private nongovernmental, ad valorem tax exempt, HB 1006, SB 2818.
- State structure, revised, SB 2247, \*Sub SB 2247, CH. 141 EX.
  - Structure revision, copies of Sub SB 2247, state-wide distribution, postage prepaid, secretary of state appropriation, \*Sub HB 498, CH. 215 EX. PV, \*Sub SB 2247, CH. 141 EX.
- Tangible property, personal, distribution, B & O tax, certain 3 or less retail store operations, exempt, SB 2895.
- Taxing districts, fiscal year, end, June 30, provision, SB 2892.
- Timber, forest lands, qualification, acreage requirement reduced, SB 2541.

## TAXES—Continued:

- Title only, SB 2812.
- Title only, SB 2852, SB 2864, SB 2865, SB 2926, \*HJR 37, \*HB 186, CH. 195 EX., \*SB 2866, CH. 204 EX.
- Tobacco, reduced, SB 2167, SB 2373.
- Tobacco products, reduced, floor stock tax repealed, SB 2167, SB 2373.
- Vehicles, self-propelled, over 1000 horsepower, construction components, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.
- Wine, bulk inter-winery shipments, from out of state, gallonage tax exempt, \*SB 2866(a), CH. 204 EX.
- Sales tax repealed, gallonage tax imposed, \*SB 2866(a), CH. 204 EX.

## TAXIS:

- Insurance, liability, mandatory minimums increased, \*SB 2056, CH. 15.

## TEACHERS:

- Certificated employees, defined, \*HB 476, CH. 105 EX.
- Certification, preparation programs, education, accreditation, revocation, standards, professional practice commission duties, SB 2786.
- Certified employees, school districts, public employees' collective bargaining act provisions, inclusion, SB 2479.
- Citizenship, common schools, requirement removed, SB 2118.
- Community colleges, instructors, part time, salaries, employment, provisions, SB 2664.
- Teachers, part time, salaries, employment provisions, Sub HB 742, SB 2664.
- Contracts, nonrenewal, dismissal cases, hearing examiners, school board employment, authorized, SB 2448, \*HB 281, CH. 49.
- Notice, service, hearings, provisions revised, SB 2448.
- Written notification, date change, SB 2291.
- Hearing examiners, school board employment, contract nonrenewals, dismissal case hearings, SB 2448, \*HB 281, CH. 49.
- Insurance, liability, employees, officials, purchase authorized, \*HB 342, CH. 125.
- Leave, sick, unused, terminated, retired, payment authorized, SB 2218.
- Negotiations, school district rules, regulations, employee organization authorized, duties, SB 2786.
- Officials, elected, public-employees retirement system transfers, service years provision reduced, SB 2612.
- Principals, assistants, separate employer-employee negotiations, organization establishment authorized, \*SB 2289, CH. 115 EX.
- Retirement, 25 years service, age requirement removed, SB 2612.
- Retirement system, membership, contribution rates, cost of living factors, funding, general provisions, \*Sub HB 419, CH. 189 EX.
- Credits, benefits, general revisions, SB 2385.
- Public employees' system, merger study, recommendations, \*Sub HB 435, CH. 190 EX.
- Salaries, adjustment, supplemental budget appropriation, provision, SB 2106, \*Sub SB 2106, CH. 8.
- Increase provision, \*Sub SB 2854, CH. 137 EX. PV.
- School, common, certificated employees professional negotiations act, SB 2322, Sub SB 2322.
- Compensation schedule, comprehensive plan development, SCR 104.
- School districts, classified employees, retirement, contribution, 9 month calendar basis, 12 month service credit provision, \*SB 2358, CH. 23.
- School, insurance, district contribution, maximum limitations removed, SB 2281, \*HB 304, CH. 9 EX.
- Unemployment compensation, coverage, SB 2203.
- Warrants issuance, written employment contract file requirement repealed, \*HB 367, CH. 72.
- Seniority, transfers, years, limitation provision, SB 2076.

## TEACHERS—Continued:

- Substitutes, for certain teachers assigned to special committees, state payment provisions, SB 2279, \*HB 287, CH. 3 EX.
- Teaching methods, college faculty, periodic classroom experience, SB 2159.

## TECHNOLOGY:

- Education, clearinghouse, study, higher education council, duties, SB 2120, Sub SB 2120.

## TELEGRAPHS:

- Companies, property tax imposition, revenue distribution, HB 139.
- Electronic surveillance control, regulations, SB 2144.

## TELEPHONES:

- Charges, basic local area rate, police, fire, health, school calls, provisions, SB 2444.
- Electronic surveillance control, regulations, SB 2144.
- Solicitation, business, calls, reasonable hours provision, SB 2683.

## TELEVISION AND RADIO:

- Charitable funds, solicitation, professional fund raiser registration not required, \*Sub HB 722, CH. 66 EX.
- Lotteries, definition, broadcast advertising, federal code compliance authorized, SB 2219.
- Motor vehicle operators, wearing earphones, headset, prohibited, SB 2430.
- Television, cable antenna, unauthorized, connection, misdemeanor, \*Sub SB 2736, CH. 94 EX.
- Television reception improvement districts, directors, bonding requirement repealed, \*HB 107, CH. 55.

## TENANTS (see Landlords and Tenants, also Housing):

## TERRELL, DR. GLENN:

- Western interstate commission on higher education, member,  
\*\*GA 13 . . . . . pp. 69, 191, 282-283

## TESTS:

- Lie detector, employment purposes, use prohibited, certain exceptions authorized, \*SB 2187(a), CH. 145.

## THEATRICAL EMPLOYMENT AGENCIES:

- Licenses, fees, definitions, charges, general revisions, SB 2454, Sub SB 2454.

## THERMAL POWER:

- Steam generating facilities, taxation, provisions, SB 2801.

## THOMPSON, ROBERT B.:

- Centralia community college, district No. 12, member,  
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## THURSTON COUNTY:

- Superior court, Mason/Thurston counties, judges, number increased, SB 2265, \*Sub SB 2227, CH. 27 EX.
- Union cemetery, certain property, transfer, state capital historical association, SB 2765.

## TIDELANDS (see also Shorelands and Shorelines, also Water):

- Parks, recreation purposes, public, state gift provision, SB 2374, Sub SB 2374.

## TIMBER:

- Fire prevention, natural resources department authority, rules, regulations, general revisions, \*HB 746, CH. 24 EX.
- Lands, open space, current use assessment provisions, SB 2035, \*Sub HB 53(a), CH. 212 EX. PV.
- Tax, forest lands, qualification, acreage requirement reduced, SB 2541.
  - Property, open space, farm, agricultural, timber lands, general revisions, SB 2049, SB 2155, SB 2177, \*Sub HB 53, CH. 212 EX. PV.
- Taxation, title only SB 2812.
- Taxes, property, open space lands, current use assessment provisions, SB 2177, Sub SB 2177.

## TITLE ONLY BILLS:

- Advertising, outdoor, SB 2768.
- Agriculture, SB 2793.
- Appropriations, SB 2854, SB 2861, SB 2862, SB 2863.
- Appropriations, state government, SB 2855, SB 2856, SB 2857, SB 2858, SB 2859, SB 2860.
- Archaeology, SB 2905.
- Banks, mutual savings, savings and loan associations, HB 915(a).
- Banks, trust companies, SB 2733.
- Business promotional activities, SB 2774.
- Cable communication services, illegal use, SB 2736.
- Civil actions, SB 2870.
- Civil order, SB 2877.
- Civil procedure, SB 2876.
- Colleges and universities, SB 2739.
- Commerce, SB 2758, SB 2759, SB 2773.
- Commercial banks, trust companies, SB 2927.
- Community colleges, SB 2743.
- Contracts, SB 2875.
- Controlled substances, SB 2772.
- Counties, SB 2723, SB 2878.
- Crimes, punishment, SB 2874.
- Domestic relations, SB 2871.
- Ecology, SB 2771.
- Education, SB 2720, SB 2721, SB 2744, SB 2745.
- Elections, SB 2910, SB 2911, SB 2912.
- Elections, nonpartisan, SB 2791.
- Electrology, practice, SB 2777.
- Electronic equipment, SB 2766.
- Employment, public, SB 2719.
- Environment, SB 2906.
- Federal funds coordination program division, SB 2734.
- Financial institutions, SB 2707, SB 2902, SB 2903.
- Fisheries department, SB 2706.
- Food fish, shellfish, SB 2705, SB 2712, SB 2715, \*HB 901(a), CH. 220 EX. PV.
- Forest lands, state, SB 2735.
- Game and game fish, SB 2708, SB 2711, SB 2718.
- Game department, SB 2710.
- Governmental cooperation, joint committee, established, SB 2751.
- Growth commission established, SB 2754.
- Higher education, SB 2722, SB 2740.
- Higher education council, continued existence, SB 2737.
- Housing, SB 2753.
- Insurance, workmen's disability, SB 2700.
- Judiciary, SB 2872.
- Legislative liason office, Washington D.C., SB 2795.

## TITLE ONLY BILLS—Continued:

- Legislative redistricting, SB 2366.
- Legislature, processes, SB 2764.
- Licenses, professional, fees, SB 2916.
- Local government, SB 2724, SB 2726, SB 2727, SB 2728, SB 2729, SB 2730, SB 2919.
- Local government, reorganization, SB 2725.
- Lotteries, central Washington bazaar, SB 2797.
- Migrant workers, labor camp demonstration project, appropriation, SB 2701.
- Minors, restaurants, SB 2873.
- Motor vehicle dealers, manufacturers, salesmen, regulation, SB 2741.
- Mutual savings banks, SB 2928.
- Nursing homes, SB 2489.
- Optometry, SB 2676, SB 2755.
- Pensions, private, committee, created, study, SB 2704.
- Pensions, rights, benefits, SB 2699, SB 2732.
- Physicians, surgeons, licensing reciprocity, SB 2907.
- Pollution control, SB 2738.
- Port districts, SB 2756, SB 2757.
- Probate, SB 2867.
- Public assistance, SB 2742, SB 2767.
- Public domain, conservation, SB 2770.
- Public utility districts, collective bargaining, SB 2794.
- Real property, SB 2869.
- Reforestation taxation, SB 2811.
- Restaurants, minors, SB 2873.
- Retirement benefits, SB 2775.
- Revenue, taxation, \*HJR 37(a).
- Savings and loan associations, SB 2904.
- School children, safety, HB 895.
- Security agencies, private, SB 2769.
- Sewer districts, SB 2709, SB 2713.
- Sickle cell anemia, SB 2746.
- Small loan companies, loan limit increase, SB 2879.
- Southwest Washington Fair association, property, SB 2851.
- State comprehensive health plan, SB 2750.
- State employees, certain, collective bargaining, SB 2752.
- State patrol, bureau of criminal identification, SB 2776.
- State patrol, organized crime intelligence unit established, SB 2717.
- Taxes, SB 2852, SB 2865, SB 2926, SB 2964, \*HB 186(a), CH. 195 EX., \*SB 2866(a), CH. 204 EX.
- Timber, forest lands, SB 2812.
- Tort law, SB 2868.
- Transportation, SB 2748, SB 2749, SB 2792.
- Transportation facilities, SB 2562, SB 2563, SB 2564, SB 2566, SB 2567.
- Utilities, SB 2702, SB 2703, SB 2714, SB 2731.
- Viet Nam, veterans, assistance program, SB 2933.
- Vocational education, SB 2853.

## TITLES:

- Land, registrations, filing fees increased, \*HB 128, CH. 121.

## TOBACCO:

- Cigarettes, tax reduced, SB 2375.
- Tax, reduced, SB 2167.
- Floor stock tax repealed, SB 2167, SB 2373.

**TOLL BRIDGE AUTHORITY:**

Capital improvements, operations, appropriation, 1973-75 biennium, SB 2328, \*Sub SB 2328, CH. 222 EX. PV.

**TOLLEFSON, HONORABLE THOR:**

Remarks, regarding Ernest M. Brannon . . . . . p. 811

**TOURTELLOTTE, MRS. NEAL:**

Evergreen state college trustee, \*\*GA 24 . . . . . pp. 73, 272, 334

**TOW TRUCKS:**

Operators, certification, regulations, HB 607.

**TRADING STAMPS:**

Franchise fee, definition excluded, \*HB 782(a), CH. 33 EX.

Franchise investment act, definitions provision, excluded, SB 2608.

**TRAFFIC:**

Fines, justice court, current expense fund transfer, amount limitation, SB 2887.

Safety education account, fine, amount reduced, SB 2885.

Justice courts, fines, current expense fund transfer, amount limitation, SB 2887.

Offenders, habitual, provisions, general revisions, SB 2015.

Safety course, education account, fine, amount reduced, SB 2885.

**TRAFFIC CONTROL:**

Accidents, motor vehicle, citation issuance, probable ground basis, SB 2058.

Habitual traffic offenders declaration, alcoholics, receiving treatment, stay order issuance authorized, \*SB 2270, CH. 83 EX.

Motor vehicle suspension systems, alteration, prohibited, SB 2264.

Motor vehicles operators, failure to stop for police, crime, SB 2277.

Motor vehicles, slow moving, traffic hinderance, turn off required, \*SB 2246, CH. 88.

Roads, highways, vehicles, definitions, uniformity provisions, SB 2456.

**TRAIL BIKES (see Motorcycles and Motorbikes):****TRAILS AND PATHS:**

Towns, pedestrian, equestrial, bicycle, motor vehicle funds, portion, use authorized, SB 2807.

**TRANSIT SYSTEMS:**

Metropolitan, package service, equipment, facility rentals, provisions, HB 1063.

**TRANSPORTATION (see also Transit Systems, also Mass Transit):**

Buses, municipal corporations, oversize fees, exempt, SB 2936.

Commission created, duties, SB 2507.

Commodities, destined for marine shipment, public utilities excise tax, pending loading, exempt, SB 2420.

Community facilities development, urban arterials, motor vehicle fuel excise tax increased, allocation, SB 2369.

Corridor parking facilities, highway commission acquisition, construction, provisions, SB 2642.

Department created, duties, SB 2507.

Elderly persons, school bus use, program, activities purposes, authorized, SB 2354, \*HB 360, CH. 45.

Facilities, construction, real property economic benefits, excise tax, public transportation financing, SB 2470.

Title only, SB 2562, SB 2563, SB 2564, SB 2566, SB 2567.

TRANSPORTATION—Continued:

- Farm machinery, oversize, overweight, highway use provisions, SB 2037, \*Sub SB 2037, CH. 1 EX.
- Gas, owner, operator, liability provisions, SB 2121.
- Highways, program, projects, expenditures, reporting, priorities, provisions, SB 2136.
- Mass, department created, powers, duties, appropriation, SB 2789.
  - Public, municipal systems, state matching financial assistance provisions, appropriations, \*Sub SB 2813, CH. 136 EX.
- Metropolitan public facilities, package service, equipment, facility rentals, provisions, HB 1063.
- Motor vehicle excise tax, portion, municipal allocation, public mass transit purposes, SB 2681.
- Public carriers, general revisions, \*SB 2440, CH. 115.
- Public, fund establishment, study, SB 2428.
  - Systems, state sales tax, municipal portion, use provision, SB 2692.
- Railroads, bridges, trestles, employee walkways, need, study, Sub HB 273.
- State agencies, recommended budgets, gubernatorial, legislative presentation requirement, \*SB 2311, CH. 201 EX.
- Studies, transportation related subjects, legislative transportation and utilities committees, appropriation, \*Sub SB 2748, CH. 210 EX. PV.
- Taxes, public utilities excise, commodities destined for marine shipment, pending loading, exempt, SB 2420.
- Title only, SB 2748, SB 2749, SB 2792.
- Urban system created, duties, SB 2796.
- Vacation vehicles, summer use only, license provision, SB 2236.
- Vintage vehicles, daily transportation, original license plates, use provisions, HB 596.

TRANSPORTATION COMMITTEE:

- Legislative, under provisions RCW 44.40.010, President's appointments . . . . . p. 1727

TRAVEL:

- American\*revolution bicentennial commission, legislative members, expense provision, HB 1074.
- Congressional acts, required state committees, councils, expenses, legislative appropriation provision, SB 2516, SB 2605.
- County officers, mileage allowance increased, HB 150.
- Marine employees commission members, per diem, travel compensation, provision, SB 2245.
- School districts, prospective employees, travel expenses, payment authorized, HB 183.

TRAVEL TRAILERS:

- Dealers, manufacturers, salesmen, regulation, \*Sub SB 2741, CH. 132 EX.

TREATIES:

- Indians, hunting, fishing rights, treaty locations, state jurisdiction removed, SB 2141.

TRESTLES:

- Railroads, employee walkways, need, study, Sub HB 273.

TRICK OR TREAT:

- Halloween foods, foreign objects, adulteration, crime, \*HB 75, CH. 119.

TROUP, JOHN B.:

- Higher education personnel board member,
  - \*\*GA 11 . . . . . pp. 70, 272, 289-290

**TRUCKS AND TRACTORS:**

- Construction, over 1000 horsepower, construction components, out-of-state ownership, transfer, property tax exempt, \*HB 54, CH. 149.
- Farm machinery, oversize, overweight, highway use provisions, SB 2037, \*Sub SB 2037, CH. 1 EX.
- Fee schedule, overlegal loads, revised, SB 2583, Sub SB 2583.
- Fleet operators, regulatory fees, utilities and transportation commission, jurisdiction, \*SB 2440, CH. 115.
- Fuel, milk, restricted load roads, use, reduced speeds, provisions, SB 2410.
- Gas, owner, operator, liability provisions, SB 2121.
- Gross loads, weight, size, provisions, general revisions, SB 2250, \*Sub SB 2250, CH. 150 EX.
- Motor freight carriers, tariffs, permanent, establishment, 60 day publication requirement, \*SB 2440, CH. 115.
- Tow, operators, certification, regulations, HB 607.
- Trucks, stolen, manufacturer's serial number, altered, destroyed, rightful owner, return, disposal, provisions, SB 2416.

**TRUST COMPANIES:**

- Banks, trust companies, incorporation, organization, provisions revised, \*HB 418, CH. 104 EX.
- Own and other bank stock, real estate, investment limitations, \*HB 418, CH. 104 EX.
- Executorships, solicitation permitted, SB 2596.
- Holding companies, control, 100% of one bank, 25% of more than one bank, authorized, \*SB 2643, CH. 92 EX.
- Insolvent, F.D.I.C., receiver, liquidator, appointment authorized, \*HB 438, CH. 54 EX.
- Mortgages, reserve accounts, financial institutions, payment required, SB 2929.
- Satellite branches, certain financial institutions, establishment, department stores, supermarkets, authorized, HB 915(a).
- Faculties, certain locations, establishment provisions, HB 915(a).
- Title only, SB 2733, SB 2927.

**TRUST LANDS (see also Public Lands):**

- Forest land, state, Mason county, reconveyance, SB 2784, \*Sub SB 2784, CH. 26.

**TRUSTS:**

- Beneficiary, disclaimer of interest, SB 2137, \*HB 48, CH. 148.
- Deeds, foreclosure procedures, additional provisions, SB 2838.
- Issuance, duplicate titles, fees, \*HB 128, CH. 121.
- Federal revenue sharing trust fund, created, \*SB 2672, CH. 129 EX.
- Fiduciaries, securities, clearing corporation deposit, authorized, \*HB 467, CH. 99.
- Forest land, state, 160 acres, Mason county, reconveyance, SB 2784, \*Sub SB 2784, CH. 26.
- Funds, investment, certain life insurance policies, authorized, \*SB 2515, CH. 89 EX.
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**YAKIMA COUNTY:**

Superior court, judges, number increased, SB 2227, \*Sub SB 2227, CH. 27 EX.

**YAMASHITA, ROBERT M.:**

Tacoma community college district #22, trustee, \*\*GA 61 . . . . . pp. 81, 196, 246

**YOUTH (see also Minors):**

- Alcoholic beverages, consumption, purchase, spouse age 18-21, accompanied by spouse over 21, permitted, SB 2308.
- Use, legal age lowered, SB 2216, SB 2395, \*HB 240, CH. 100.
- Camps, uniform safety standards, regulation, SB 2582.
- Eighteen year olds, full legal rights, responsibilities, SB 2395.
- Forest camps, industrial insurance benefits, provided, \*HB 279, CH. 68.

## YOUTH—Continued:

- License plates, personalized, fees, youth development program use, parks and recreation commission allocation, SB 2401.
- Musicians, 18 years of age, licensed alcoholic beverage premises, employment permitted, HB 1035, \*SB 2847, CH. 96 EX.
- Youth development and conservation committee, membership, reduced, reconstituted, SB 2401.
- Corps, enrollment time period, restriction removed, SB 2401.

## ZONES AND ZONING:

- Real property, zoning, use, purchaser notice, statement required, SB 2882.

## ZOOS:

- Private, game animals, imported, possession authorized, SB 2819.